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THE

JUDGES OF ENGLAND;

WITH

SKETCHES OF THEIR LIVES,

AND

MISCELLANEOUS NOTICES

CONNECTED WITH

THE COURTS AT WESTMINSTER,

FROM THE TIME OF THE CONQUEST.

BY EDWARD FOSS, F.S.A.

OF THE INNER TEMPLE

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3.e.7.

VOL. I.

CONTAINING THE REIGNS OF

WILLIAM I., WILLIAM II., HENRY I., STEPHEN, HENRY II., AND RICHARD I.

1066—1199.

LONDON:

PRINTED FOR

LONGMAN, BROWN, GREEN, AND LONGMANS,

PATERNOSTER-ROW.

1848

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TO

THE RIGHT HONOURABLE

HENRY, LORD LANGDALE,

MASTER OF THE ROLLS.

My Lord,

It would be as distasteful to your Lordship, as it would be repugnant to my own feelings, were I to take advantage of your consent to receive this Dedication by using the language of flattery. I applied for your permission, not so much on account of the respect which I entertain towards your Lordship, in common with those who share with you in the administration of justice, as from the gratitude which I and all who are interested in the preservation of the Public Records must feel for the zeal, the learning, and the assiduity which you have devoted to that national and important object; — for the exertions you have made for their security; for the perseverance and judgment by which you have reduced their confusion into order and system; and for the arrangements by which reference to them has been

INTRODUCTION.

It is somewhat surprising, amidst the numerous biographical works with which the literature of England has teemed, though many of them have been confined to distinct classes of men, as Bishops, Poets, Dramatists, Painters, Admirals, &c., that no separate publication, in a comprehensive form, of the Lives of the Judges has ever yet appeared. Various reasons may be adduced for the omission; but the strongest will be found in the fact, that those who have been most competent to the task have seldom had leisure for its accomplishment. Even the most superficial attempt could not be undertaken without some knowledge of the law, and a considerable intimacy with the constitution of the courts; and to ensure a successful result, a perseverance and assiduity in laborious investigation must be added, which none but those who have a real devotion to the subject would be inclined to bestow. Lawyers of any eminence, while in the pursuit of their profession, have little time to spare from their forensic avocations; and when they retire, either for their occasional vacation, or at the termination of their busy career, they are either too glad, if any season of activity remains, to throw aside their books entirely, and to enter into the relaxations of society; or too anxious to pursue their political promptings to enter upon a new field of inquiry, the tilling of which must be attended with much toil, and the fruit of which they may despair of seeing harvested.

It is not improbable, also, that the absence of such a work

may in some measure have arisen from the supposition that the subject would not be one of sufficient interest to arrest public attention; that it would be without attraction to the general reader, and that lawyers are too much immersed in their professional duties, and too much oppressed with the books absolutely necessary for their studies, to afford either money for the purchase or time for the perusal. That this objection is without a substantial foundation, the avidity with which recent publications of individual lives have been received, affords ample testimony: an avidity not at all to be wondered at, considering the ability displayed in their composition, and the proofs they give that the apparently dreary purlieus of Westminster Hall are as rife with anecdote and wit as the gayest drawing-rooms, or the most popular clubs in London.

The surprise, however, is that such an objection should ever have had any weight. When it is recollected that the Judges of the land are, by the nature of their office, in some respect the representatives of majesty, presiding in the judgment-seat, and traversing the country in all the "pomp and circumstance" of their position, interpreting the laws and administering justice in the presence of multitudes; that the highest constitutional questions, as well as the minutest civil rights, are subject to their decision; that many of them have, from the most humble origin, been raised to their high station by their own industry, abilities, and character, selected from the *élite* of a most arduous and honourable profession; that every judicial act they perform, every opinion they offer, and every word they utter, is subject to the observation of their contemporaries, equally educated, and many of them equally competent to form a judgment; and that their intercourse on the circuits is not confined to their legal brethren, but extends over the highest and most intelligent branches of the community; it seems only a natural

consequence that the rise and progress, the conduct and the character, the lineage and descendants of those who have pursued such a career, should abound with interest to all classes of society, as well those who are partakers in the benefits and are conversant with the history of their country's institutions, as those who are prosecuting the same studies and aspiring to similar honours.

Let it not be supposed that such an interest would be limited to the eminent names which dwell within the memory of the living, or which are known to them by the traditionary accounts of their fathers. Experience contradicts such an assumption, and proves that nothing is looked for more eagerly, or enjoyed with greater zest, than those relations which illustrate the proceedings of the courts in former times, which exhibit the character and habits of those who presided in them, and which supply the link of connection between ancient and modern practices, explaining customs still preserved, although their origin may have been forgotten.

I am much mistaken, then, if there are not many classes of readers who will be desirous of encouraging such a work; while the want of a progressive account of our legal institutions has been ever felt by historians and jurists. No inconsiderable step towards supplying this deficiency would be made by arranging the catalogue and sketching the memoirs of those who have occupied the judicial bench; and students will not be sorry to diminish the difficulty, which Dugdale describes as common in his time, and which must still be encountered, of distinguishing in the old reports the judges from the advocates, and even of ascertaining and establishing their actual names.

The quaint Fuller, in his notices of the WORTHIES of the law, remarks, that "though Judges leave more *land* than Bishops, they leave lesse *memorialls* behind them, of the *time, place,* and *manner, when* and *where born* and *dyed,* and how

they demeaned themselves;" and he has limited his notices to a few of what he denominates the "capital judges," or heads of the different courts of law. Had he extended his inquiries a little further, we should not now have had to complain of the great deficiency which exists in this branch of biography. If he, or any such pleasant historian, had in that age industriously sought after such memorials as then existed, a collection might have been formed, which, by the gradual additions of subsequent writers, would by this time have swelled to a respectable dictionary of legal biography. The commencement of such an undertaking might well terrify many to whom the inquiry would be interesting; but the adding to one already formed would be an agreeable occupation for those fleeting leisure moments which a laborious life can afford. Nor would the result have been so barren as Fuller seems to suspect; for the records of Westminster Hall, both printed and oral, in addition to the reminiscences of the neighbourhoods in which even our puisne judges were always deservedly looked up to as eminent in their day, would have enabled an active and judicious investigator to have compiled not only tolerably correct accounts of "when and where" they were "born and dyed," but also an interesting representation of the manner in which "they demeaned themselves" both in public and private life.

Surrounded with difficulties as a work of this nature must now evidently be, it may be fairly asked upon what inducements, or rather, perhaps, on what presumption, I have ventured to attempt it. I can only say that very early in my professional career I felt anxious to know something about the history of the courts in which I practised; and having been brought up to look with reverence on those who ruled in them, I inquired in vain for some account of their predecessors. Finding no regular memorials, it was

my amusement to collect all the incidents relative to each which any of the various books I read could furnish; and, making allowance for the few opportunities to be found in an active and laborious professional career, a large body of materials was eventually formed, arranged under the names to which they applied in alphabetical order. The time of my retirement arrived; and not having been delayed, as is too frequently the case, till the sense of enjoyment is blunted and the powers of the mind are decayed and gone, I found that full employment was necessary to my existence and my happiness; and, after devoting a few more years to public duties, which I owed to my professional brethren, I naturally reverted to my biographical collections, with the double view of occupying my leisure, and of supplying the deficiency of which others, besides myself, had complained.

I must confess, however, that on contemplating the plan which it would be necessary to adopt, I was startled by the magnitude of the undertaking. I was soon satisfied that, to make the work I projected really useful, it would be requisite to commence at a distant period; and that, as comparatively few of my collected notes referred to the earlier judges, it would require laborious research before I could supply materials to justify such a publication. But though somewhat intimidated, I did not abandon my labours, and encouraged to proceed by those best qualified to advise, I overcame my reluctance, and finally arranged the plan, which I now submit to the judgment of the public.

In the choice of a period for the commencement of the work, I could find none more peculiarly fitting than the Norman Conquest. The invasion of England by William the Conqueror forms so important an epoch in its history, and occasioned so considerable an alteration in the habits and customs which had previously prevailed, that it seemed to offer, even without any other reason, the most natural

starting-point; but the introduction, if not of a new system of laws, at least of a new mode of judicature, which has subsisted, with slight variation, to the present time, rendered the selection of that period one almost of necessity in preference to any subsequent date. Had it been possible to ascertain with any preciseness the period when the division of the courts took place, or rather the substitution of them for the general jurisdiction of the Curia Regis, I should no doubt have preferred avoiding the labour of the previous reigns: but the change was so gradual, and the time of its completion so uncertain, that at the very outset I must have involved myself in a disputable question.

The arrangement to be adopted in giving the several lives was a subject of considerable perplexity. If they were to be placed altogether alphabetically in the form of a dictionary, a period must have been fixed at which the series was to terminate; and that could not well have been earlier than the end of the reign of George III. Independently of the perpetually increasing incompleteness as years rolled on, and the continual jumble of generations which it involves, the number of the judges between the two points is so large, that I could have had no expectation of bringing the work to a conclusion. If, on the other hand, the classification were to be strictly chronological with reference to persons and not to reigns, it would be a question whether they were to be introduced at the beginning or at the end of their career; in the one case anticipating events of a future reign, and in the other repeating details applicable to a former one.

It seemed to me to be possible to avoid the disadvantages and to unite the conveniences attendant on both schemes; and I trust I have done so in the plan I have adopted, by keeping each reign separate and distinct. Preserving thus the chronological order, I have further secured the utmost

simplicity of reference to the judges who flourished under each sovereign, by arranging their lives alphabetically: so that all the judges of each reign appear in one list, and each individual is classed amidst his contemporaries. A separate alphabetical index is given to each volume, for facility of reference; and a general one will close the work, showing in what reigns each individual held office.

Where judges have sat on the bench in more than one reign, their names, with the office they held and the year of their appointment, will appear in due order in each reign of their career, and their lives will be given in the last.

In addition to these sketches I have at the commencement of each reign distributed the several judges who flourished in it among the different courts in chronological order; and I have added, under the title of "survey of the reign," some description of the nature and progress of each court, and of the officers of the various departments, with short accounts of the inns of court and Chancery, and their origin; of the serjeants and other advocates; and of the reporters and legal writers; adding whatever appeared interesting in the history of the time as connected with the judicature of the country; and collecting such illustrative anecdotes of Westminster Hall as seemed to demand a place. Thus each reign, as far as I can make it, will be complete in itself: and thus every inconvenience that might result from any sudden termination of my labours will be avoided; inasmuch as the plan, if approved, may be continued by others, and carried on for successive generations.

Let me specially remind my readers, however, that it is altogether foreign from my purpose to introduce any legal discussions, or to attempt to trace the history of the law itself. Besides being conscious of my total incapacity for such a task, I feel that it has already been accomplished in works of learned writers which have justly acquired a solid repu-

tation. The preliminary surveys which I offer are simply intended as necessary introductions to the principal object of my undertaking. They aim at no higher purpose than to give correct lists, as far as they can be correct, of the judges in their several courts; to preserve some of the traditions of the seat of justice; to trace to their origin some of the customs which still are found there; and to bring together such materials as may throw some light on the forensic practices of the time.

The lists of the judges which have been hitherto published are extremely deficient and frequently inaccurate: indeed, very few attempts have been made to form a systematic series, and very little labour has been expended in former enquiries.

The principal list is that of Dugdale at the end of his Origines Juridiciales; which, considering that he was not a lawyer by profession, is an extraordinary performance, the general excellence of which, notwithstanding the errors it contains, has no doubt prevented others from labouring in the same field. But even if it were more perfect than it is, the time that has elapsed since its publication, — not far from two centuries, — and the lights which subsequent enquiries have thrown on the subject, at once suggest the necessity for new explorers, both to correct the old series, and to continue it till the present time.

The "Chronica Juridicialia" is an abridgment of Dugdale's work, arranged in a manner far less comprehensive and useful, but carried down to a later date.

Beatson professes to give lists of the chancellors and judges; but a very slight inspection will show how little reliance is to be placed on them. It is enough to mention as an example, that Ralph de Diceto, the historian, is introduced as a chancellor in the reign of Henry III.

The only other general catalogue with which I am ac-

quainted is a little volume produced in America, called "The Judicial Chronicle, being a List of the Judges in the Courts of Common Law and Chancery in England and America, 1834." It contains a chronological list from the earliest period of the reports; and the latter are mentioned contemporaneously with the judges in a corresponding column. It is a neat and compact work, very creditable to its author, George Gibbs, of Dane Law College.

There are several other lists more limited in extent, or confined to specific classes or courts.

Woolrych's Series of the Law Officers does not commence till the reign of Elizabeth; but it is rendered peculiarly valuable by the reference he gives to his authorities.

The lists in Spelman's Glossarium Archæologicum are confined to the chancellors and the *chiefs* of the three other courts; omitting the puisne judges and barons.

Some of the books of reports also have lists; and in particular, Sir Harbottle Grimstone has furnished one at the end of Croke Charles.

The chancellors of England, however, from the place they hold in the political history of the country, have naturally demanded a more peculiar attention, and have consequently been the subject of several separate works, besides those general lists already mentioned in which their names are included. The majority of these, and, I am sorry to say, even the most modern, appear to have followed too closely the first that was compiled, incomplete as it was.

This first essay was by Francis Thynne, afterwards Lancaster herald, who, in his continuation of Holinshed's Chronicle, published in 1587, gives a catalogue of the "Chancellors of England collected out of sundrie ancient histories."[1] Although valuable and curious as the earliest attempt at forming a col-

[1] Holinshed's Chronicles, ed. 1808, iv. 346.

lection, it is in truth a very meagre work, and seems to have been so considered by its author; since he calls it the "first rough hewing"; and intimates his intention (which he did not execute) of producing an "ample discourse," "purposely written, of the lives of the chancellors." He expresses his willingness to amend the imperfections, "in mistaking or misplacing of name, person, or time," of which he appears to have been somewhat conscious; and we cannot help wishing that he had lived to correct the errors with which it abounds, and to produce better authority for some of the names than "an anonymal pamphlet in written hand," to which he is fond of referring. He died about 1608.

The "Series Cancellariorum Angliæ" in Spelman's Glossary, first published in 1626, is mainly extracted, as he acknowleges, from Thynne's list, and gives nothing more than the names.

But in 1636, John Philipot, Somerset herald, published a "Catalogue of the Chancellors of England, &c.," which for the most part was a servile copy of Thynne's collections *in extenso*, even to the errors which they contain. This, from being a separate publication, almost entirely superseded Thynne's, which formed part only of a voluminous work: so that the latter is scarcely known and never quoted; while Philipot's Catalogue, piracy as it is, is almost universally cited as the authority.

The "Chronica Series" appended to the Origines Juridiciales of Sir William Dugdale appeared in 1666, and varies considerably from Thynne's list: but it contains some names which have no claim to be inserted, and omits others which ought to be there.

The last work devoted to the chancellors, previous to the present century, was that compiled by Mr. Oldmixon in 1708, entitled "The Lives of all the Lord Chancellors, &c., by an impartial hand." It was an addition made to an original design of giving only the lives of Lord Clarendon and

Bulstrode Whitlock, which, as the title says, are written "more at large"; and in general follows Dugdale's list, giving a "succinct account" of the chancellors therein named. By taking credit for his being the "first [attempt] of the kind that he knows in the world," he exposes his ignorance of both Thynne's and Philipot's works.

More than a century then elapsed without any production on this subject, except new editions of former lists, carrying the series a little later; but within the last five years the interest in it seems to have revived, and two works have accordingly issued from the press especially devoted to the holders of the great seal. The first of these is a "Catalogue of Lord Chancellors, Keepers of the Great Seal, &c.," by Mr. Thomas Duffus Hardy, 1843, in a tabular form; and the other, in seven large volumes, bearing the same title as Mr. Oldmixon's work, is from the pen of Lord Campbell, 1845–7. However the learning and industry of the former must be acknowledged from the evidence afforded by the publications of the Record Commission, and with whatever zest the interesting and entertaining pages of the latter must be read, it is impossible not to feel a deep regret that in the earlier reigns both have adopted the names and followed the arrangement of their predecessors without inquiry; and that the latter especially, by the popularity of his work, has, to a certain extent, perpetuated errors which a little examination and care might have corrected.

This expression of regret applies principally, but not entirely, to the first five reigns after the Conquest: — viz. those of William I., William II., Henry I., Stephen, and Henry II.; in reference to which Mr. Hardy says, that "it has been thought advisable merely to give the *names* of the various chancellors, because the precise dates of the deliveries of the seals cannot be ascertained"; and Lord Campbell adopts the spirit of this excuse. Passing over that the same reason

would be equally forcible for omitting the dates of several chancellors in subsequent reigns, the reader is left to understand that, though no dates are appended, the names are correct; that there is sufficient authority for every one which is inserted; that none who held the office are omitted; and that the *order* in which they stand represents with accuracy the line of their succession. As, however, I fear that it would be unsafe to rely on any of these presumptions, I am bound to state the grounds of my apprehension; and I shall do so only in a cursory manner in this place, reserving the fuller exhibition of my proofs for the several reigns in which the instances occur.

The five reigns in question give no less than *thirteen* examples of chancellors incorrectly, or, at all events, inconsiderately introduced. In the reign of William I., two chancellors are named, for one of whom no authority whatever is cited by the compiler of any previous list; and the other (misnamed by Dugdale and Lord Campbell) did not hold the seal till the following reign.[1] In William II.'s short reign, one chancellor is brought forward, of whom there is no proof, and scarcely any presumption, that he held the office.[2] In the reign of Henry I. there are four who ought to be omitted: one for whom the authority given is only "an anonymal pamphlett;" another was clearly only chancellor to the queen; the third is inserted upon no other ground than a loose expression (a sort of *obiter dictum*) of Leland; and the fourth from the erroneous appropriation of a charter of the next reign.[3] Under Stephen there are two who have no claim to be there; one being mistaken for his cousin, and the other having only the anonymous au-

[1] Herman, Bishop of Sherborne; Baldric. Hardy, 1; Lord Campbell, i. 43.

[2] Ralph Flambard, Bishop of Durham. Hardy, 1; Lord Campbell, i. 47.

[3] 1. Herbert; 2. Godfrey, Bishop of Bath; 3. Reginald, Prior of Montague; 4. Thomas (omitted by Lord Campbell). Hardy, 2, 3.; Lord Campbell, i. 54.

thority before alluded to.[1] Lastly, in the reign of the second Henry, four chancellors are named: for the first of whom Mr. Thynne, the original compiler, from whom all the rest have copied, gives not the slightest authority; another was only vice-chancellor; the third, introduced for the first time in Mr. Hardy's Catalogue, followed by Lord Campbell, was dead long before the appointment of the chancellor who is named as his predecessor in office, and has no other foundation for his name being inserted in any place than the evident miscopying of a charter; and though the fourth certainly held the office of chancellor, it was to the Scottish, and not to the English king.[2]

There is an omission also of one chancellor in the reign of William I.[3], besides the other in that of William II.[4], who was incorrectly inserted, as already mentioned, under his predecessor; and there are various amendments in the order of the succession under the Conqueror and Henry I., which it will be more convenient to particularise in the pages which treat of those reigns.

I bring forward these instances in the first five reigns, not in the presumptuous confidence that I am correct in all of them, but as proving the necessity of investigation, and to justify the regret I have expressed. No compiler of a new catalogue can maintain the propriety of preserving every name to be found in former lists, without satisfying himself that the previous writers were correct in adopting them, and using the necessary means of verification. The question is not whether Thynne, or Philipot, or Dugdale, or Spelman introduced a particular individual as chancellor, but whether

[1] Alexander, Bishop of Lincoln; Reginald, Abbot of Walden. Hardy, 3.; Lord Campbell, i 56. 58.

[2] 1. John; 2. Walter de Constantiis; 3. Nigel, Bishop of Ely; 4. Walter de Bidun (omitted by Mr. Hardy). Hardy, 4.; Lord Campbell, i. 100.

[3] Osbert. [4] Galdric, called by Lord Campbell, Baldric.

those authors were right in introducing him, and whether the authorities they cite are sufficient warranty for his introduction. Unless such a course is pursued, the new catalogue is not merely unnecessary, but, as far as it gives further authenticity to errors in the old lists, is an evil, instead of a benefit, to literature and to history.

Ample means exist of making some approach to correctness; for though, with regard to most of the five reigns to which these observations refer, very few records remain for the guidance of the historian, it is to be noted that during the period over which they extend, the Monasticon alone contains very nearly one hundred and fifty charters to which the names of chancellors are attached. Some of these are dated; and the dates of the others may be discovered with sufficient nearness from the witnesses who attest them; so that a diligent enquirer, even without other aid, may make a considerable advance in ascertaining the order of their succession, and, in connection with other known facts, almost the dates of their appointments. If my attempt to effect this has not been entirely successful, I hope that at least it will have produced a nearer approximation to the truth than has yet been offered.

In the subsequent reigns the rolls, for the most part, contain memoranda of the appointment of the several chancellors; and Lord Langdale has greatly lightened the labour of the antiquary by collecting together all the entries to be found in them, not only relative to the great seal, but also to the office of Master of the Rolls, which he so honourably fills. For the use of this valuable manuscript, as well as for many other kindnesses, and for that encouragement to persist in my work which has stimulated my exertions, I cannot refrain from offering my most grateful acknowledgments.

In bespeaking the indulgence of the reader for the two

volumes which I now offer, I must remind him that neither the subjects introduced into them, nor the biographical sketches they contain, should be considered as affording an adequate specimen of those which are to follow. The reigns they comprise are so distant, that, though considerable interest must no doubt be felt in tracing and discussing the origin of our legal institutions, little minute information or forensic anecdote can be expected; and the lives of those who flourished during the period can be distinguished by few incidents of individual character, nor can the parties themselves be always ascertained with sufficient marks of personal identity. The frequent absence of surnames; the constant combination of Christian names by the word "filius," or "Fitz," with slight means to distinguish the families to which they belong; the common designation of men from the place of their birth, education, or preferment, and sometimes from their office, occupation, or profession; and the occasional adoption of two appellations by the same individual; are difficulties which those who are conversant with the records of the time will know how to appreciate; and it will perhaps excite some wonder, that out of the FIVE HUNDRED AND EIGHTY judges, regular and itinerant, comprehended in these two volumes, there are so few of whom I have not been able to collect something beyond the mere fact that they held the one or the other position.

However great were the obstacles that impeded me, or however small were the results that rewarded some of my researches, the plan of my work compelled me to make the most of the one, and to endeavour to surmount the other. If I have tolerably succeeded in doing this; if I have shown that though the land was untilled it was not wholly barren; if I have proved that even the unpromising soil on which I have hitherto ventured is capable of pro-

ducing some fruit, it is not perhaps too much to hope that, in advancing into a district more cultivated and better known, there is a reasonable prospect of obtaining a richer and more abundant harvest.

My ambition, however, does not extend to the composition of a "parlour-window book," nor, by making a romance of history, to obtain for it a temporary popularity. Its aspirations may perhaps be deemed less humble when I confess that their aim is to produce a work which will supply a vacuum long acknowledged; that it is my hope to interest the general reader by the lives which it sketches, — the historian by the information he may glean from it, — and the lawyer by the means of reference which it affords, and by the notices of individuals who flourished, and of incidents which occurred in that arena in which he is now contending.

To the descendants, the connections, and the friends of any judge, who would kindly supply me with an account of his life and family, and any incidents of his public or private career, I should feel under great obligations; and it would materially assist me if my legal friends would furnish me with details relative to the courts and their officers, to illustrate and enliven my future volumes.

Street-End House, near Canterbury,
October, 1848.

THE

JUDGES OF ENGLAND.

WILLIAM I.

Reigned 20 years, 8 months, and 15 days; from December 25, 1066, to September 9, 1087.

SURVEY OF THE REIGN.

THE various branches of judicial business which are now distributed among the four Courts of Westminster, denominated —1. The Court of Chancery; 2. The Court of King's, or Queen's, Bench; 3. The Court of Common Pleas; and 4. The Court of Exchequer; were in the reign of William the Conqueror all administered in one. This supreme court was called the Aula, or Curia, Regis, from being held in the hall or court of the king's palace.

It is generally considered to have been one of the institutions which William introduced into this country; as there is no notice of any Court in England so designated previous to the Conquest, and as it certainly existed at that time in Normandy. Its primitive foundation is the simple principle that the King is the fountain of justice, to whom alone his subjects can look for the removal of their grievances and the redress of their wrongs. The discussion of legislative and other important measures necessary for the government of the state, formed accordingly a principal part of its deliberations; but to the administration of justice between man and

man, as there conducted, the following pages are exclusively confined.

The Curia Regis necessarily, from its nature, followed the King's own movements; and in the palace in which he happened to be resident, this supreme court was held; in the judicial department of which, as well in this as in several of the subsequent reigns, the King himself frequently presided. In fact, judicature was inseparable from his person; he administered justice *ubicunque fuerat in Angliâ.*

There were, however, three special periods of the year in which King William usually held his court, or, as it was called, "wore his crown," with peculiar solemnity. These were at Christmas, at Easter, and at Whitsuntide; and London and Westminster, Windsor, Winchester, Gloucester, and Salisbury, are the places recorded as the scenes of these august assemblings.

Regal magnificence and hospitality, the arrangement of the revenue, and the consideration of national affairs, would necessarily occupy several of the earlier days of these festivals; and the conclusion of them would fall on the commencement of those particular periods, which, according to the law then existing, were specially devoted to the transaction of legal business, and which, in modern phraseology, would be called the "Law Terms."

Some old and most modern historians have attributed the introduction of the "Terms" into our system of law to William the Conqueror; but Sir Henry Spelman [1], in a very learned paper on the subject, has ably exposed the error. He traces the foundation of the institution to the Romans, who appropriated certain days to judicial proceedings, and shows that its introduction into our judicature is to be ascribed, not to William, but to our Saxon king, Edward the Elder; that

[1] The Original of the four Terms of the Year, by Sir Henry Spelman. Reliquiæ Spelmannianæ, 1698, p. 67.

it was adopted by Canute the Dane; and that it was fully established by Edward the Confessor in a separate chapter of his laws, entitled, "De temporibus et diebus pacis Regis." All that William the Conqueror did here was to confirm the law of Edward the Confessor, from whose example he had previously introduced it into Normandy, before his invasion of England.

But while Spelman thus refutes the claim made by the historians on the part of King William to the credit of the invention, he at the same time adopts their assertion, that the number of the Terms thus introduced was *four;* an assertion the truth of which may be doubtful, and, at all events, is worthy of examination.

If, as Spelman states, Polydore Vergil was the first historian who gave circulation to the fable that King William instituted the *four Terms,* his authority as to the original number of these legal divisions will amount to little. His history having been written at the beginning of the sixteenth century, he would, in alluding to the Terms, naturally speak of them as they existed at that period, and would presume, without inquiry, that they had continued in the same form from the time of their institution; so that the question at issue remains untouched.

Before analysing the law which introduced the division, by which alone the point can be determined, it may be as well to give a slight notice of the practice among the Romans and others.

By the Romans certain *days* only were used for the legal decision of controversies. These were called *Fasti,* because their Prætor, or Judge, on those days might *fari,* or speak freely. The days of vacation or intermission were called *Ne-fasti,* because the Prætor might *ne fari,* not speak in them judicially: thus dividing their year between their gods and the commonwealth.

By the Civilians and Canonists, in like manner, the year was divided into *Dies juridicos*, law days, and *Dies feriales*, festival days, or days of intermission, as sequestered from worldly business, and devoted to the service of God; answering to our Terms and Vacations.

Among our Saxon and Norman ancestors, the days appropriated to God were denominated *Dies pacis Ecclesiæ;* and those devoted to law were called *Dies*, or *Tempus pacis Regis.*

The early Christians used all days alike for hearing causes, not excepting Sundays. By a canon, however, in A. D. 517, it was ordained "that no bishop or inferior person should presume to judge or try causes on the Lord's Day:" thus leaving all other days in the year to be *dies juridici.* Several festivals were afterwards taken from the Courts of Justice, among which were the days in Easter Week, commonly called the Octaves. Afterwards, the octaves of Pentecost, St. Michael, the Epiphany, and other principal feasts, were gradually exempted from legal proceedings; intervals which were subsequently enlarged by the addition of other periods, which it is not necessary to notice here.

The words of Edward the Confessor's law, confirmed, as before stated, by William the Conqueror, were as follow:

"Ab adventu Domini usque ad Octabas Epiphaniæ pax Dei et Sanctæ Ecclesiæ per omne Regnum: similiter a Septuagesima usque ad Octabas Paschæ: Item ab Ascensione Domini usque ad Octabas Pentecostes: Item omnibus diebus quatuor Temporum [1]: Item omnibus Sabbatis ab hora nona [2], et totâ die sequenti usque ad diem Lunæ: Item vigiliis Sanctæ Mariæ, Sancti Michaelis, Sancti Johannis Baptistæ, Apostolorum omnium et Sanctorum quorum solemnitates a sacerdotibus Dominicis annunciantur diebus; et omnium Sanc-

[1] The Ember Weeks.

[2] Namely, three o'clock in the afternoon, according to the Judaical computation.

torum in Kalendris Novembris, semper ab hora nona Vigiliarum, et subsequenti solemnitate."

Now, looking at the language of this law, the question arises, where do we find in it the division of *four* Terms, which that law is stated to have instituted? On the contrary, it seems apparent on its face, that, deducting the three longer intervals appropriated to God and the Holy Church, only *three* periods will be left for the transaction of judicial business, which can fall under the denomination of *Tempora et dies pacis Regis:* and that during neither of these three judicial periods are there a sufficient number of fasts or festivals to divide it into *two*,—to make up the alleged four.

In adjusting these divisions according to their order, it will simplify the inquiry, some of them being dependent on moveable feasts, if the years 1846–7 are taken for the purpose of illustration.

The *first* period devoted by Edward the Confessor's law to the church, (that is, in modern language, the first vacation,) was "from the Advent of our Lord till the octaves of the Epiphany;" viz., from November 29 to January 13: and the second vacation began on Septuagesima.

The *first Law Term*, therefore, (using the word Term according to its modern acceptation), began on January 13, and received the name of Hilary Term, from that day being dedicated to the saint of that name. It would finish, in the year specified, on January 31: but its length would of course vary in other years according to the falling of Easter, from which festival Septuagesima is calculated.

The *second* vacation, or period devoted to the church, commenced at Septuagesima, and lasted till the octaves of Easter; that is to say, in the year 1847, from January 31 to April 11: and the *third* sacred period, or vacation, began on Ascension-day.

So that the *second Law Term*, or Easter Term, would

begin on April 12 (April 11 being Sunday), and continue till May 13, Ascension-day.

The *third* and last period devoted to the church by Edward the Confessor's law, commenced on Ascension-day, and terminated on the octave of Pentecost; that is, from May 13 to May 30 inclusive.

Consequently, the *third Law Term* would commence on May 31, the day after the *dies pacis Ecclesiæ* concluded; and its continuance, according to the language of Edward the Confessor's law, would manifestly be until the recurrence of another period made sacred by that law. It follows, therefore, as there are no other periods of any duration mentioned in it except those already described, that this third Law Term, as then regulated, commencing on May 31, would last till the Advent of our Lord, that is to say, till November 28.

By this arrangement it appears that what we now call Michaelmas Term was altogether excluded as a separate and distinct division; the whole of the time now appropriated to it being comprehended in the third legal division, which, from the period of its commencement, would be called Trinity Term. Nor is the difficulty removed by any of the festivals or fasts mentioned in the law occurring so closely together as to form a sufficient partition in this long Term to break it into two.

Of the separate fasts and festivals which are directed to be kept holy, three of the Ember weeks do not occur within the period required; and the other, which comprehends the Wednesday, Friday, and Saturday after September 14, Holy-rood day, would be palpably not enough of itself to form a sufficient division between two Law Terms. None of the other festivals designated in the law, which come within the same period, are so near to these Ember days as to unite with them; nor can the unnamed festivals during the same

interval, by their number or contiguity, assist in forming a period from which to commence what is now called Michaelmas Term.

It is difficult, therefore, to come to any other conclusion, than that, under the law of Edward the Confessor, as adopted and confirmed by William the Conqueror, there were only *three* periods of the year devoted to judicial business, and that there is nothing in that law to show that the longest of those periods had any authorised division.

That there were only three legal Terms in the time of King William is strongly corroborated by the fact, upon which all historians are agreed, that he (and indeed several of his successors) always "wore his crown" *three* times in every year when he was in England; and that none of those times are stated to be at or about Michaelmas; but that they are invariably at Christmas, Easter, and Whitsuntide. And it is to be recollected that on these occasions he sat not only for the consideration of affairs of state, but also for the administration of justice.

Although Spelman evades all explanation of the point, he was evidently aware of the difficulty; for, in speaking of Trinity and Michaelmas Terms, he adverts to the uncertainty of the end of the former, and of the beginning of the latter.

No means exist of determining the precise period when the change took place; but it is not difficult to understand how the *third* period, arranged by Edward the Confessor's law for the transaction of legal business, came at first to be divided, and gradually to assume the appearance of two Terms instead of one; till at length the latter half was permanently established in the form it afterwards assumed.

The *fourth* vacation, though not directed by Edward's law, was, as Brady says, "made by necessity." At some period between May 31 and November 28, it would be

requisite to relieve the people from attendance, for the purpose of their collecting the hay and corn harvests and the other autumnal products; and there can be little doubt that there was a regular adjournment of the Court while they were thus employed in getting in the fruits of the earth. Such an adjournment would be attended with little inconvenience to the suitors, as it is not likely that there was, in those times, sufficient business to occupy so long a period as that which had been thus appropriated to legal affairs.

This adjournment would be naturally extended to the termination of these important occupations, which would be a short time after Michaelmas; — a period for re-assembling, which there was still another reason for fixing.

The sheriffs of the several counties, who were in fact the collectors of the royal rents, and the other debtors of the crown, were called upon to account for their receipts and expenditure half-yearly; and the two periods that were appointed for this purpose, which were called the "*Duo Scaccarii*," were at Easter and Michaelmas. These reckonings were made in a branch of the Curia Regis, called the Exchequer, where the whole business of the revenue was conducted. There the same judges and officers sat as in the principal court; and as they must necessarily be present on these occasions of accounting, the audit at Michaelmas would be the natural and most convenient period for resuming the ordinary legal business which had been interrupted for the reason mentioned.

Thus, it may be presumed, arose the partition of Edward's long legal period, extending from the octave of Pentecost to the Advent of our Lord; and thus, being an annual practice, did the latter portion of that period gradually assume a distinct form, until it eventually became a separate and established division, under the designation of Michaelmas Term.

It is worthy of observation, that the word "Term" does

not occur with its modern signification for several reigns after the Conquest. Spelman, in his Treatise, refrains from all attempt to trace the period of its introduction. In Ranulph de Glanville's book, written at the end of Henry II.'s reign, it is never used in this legal sense, but only as a day or time for payment or appearance: and in the Dialogus de Scaccario, written by Richard Fitz-Neale, afterwards Bishop of London in the reign of Richard I., although the word is introduced, the author evidently refers to the two Exchequer Terms of payment and account.

The jurisdiction of the Curia Regis was unlimited in its extent. Its ordinary inquiries were confined to such pleas as immediately concerned the king and his realm, whether of a civil or criminal nature; and also to such other matters as from their superior importance required solemn investigation. Appeals also from all the inferior Courts of Anglo-Saxon origin lay to this Court; and in some cases private individuals obtained from the king the privilege not to be impleaded before any other tribunal. For this privilege, and also for the removal of their suits from the inferior tribunals, fines, varying in amount [1], were paid to the king; whereupon writs under the royal seal were issued, authorising the justices to hear and determine the particular controversy. Final concords, feoffments, releases, and conventions of divers kinds were also made in this Court [2]; and the affairs of the revenue were likewise administered in that branch of it called the Exchequer (*Scaccarium*), to which allusion has been already made.

Some of the best historians assert that the pleadings in the Court were, by the direction of the Conqueror, carried on in the French language; and that he also commanded that it should be universally taught in the schools: but Mr.

[1] Madox's Exch. i. 96.

[2] Ibid. 119.

Luders, in his excellent "Essay on the Use of the French Language in our ancient Laws and Acts of State," with great force of reasoning maintains a contrary opinion. He disputes the promulgation of any such ordinance; and shows not only the total absence of any pleas in that language, but that the Exchequer forms, the judicial writs, the reports of trials in William's reign, and the records of the Curia Regis even under Richard I., were all in Latin.

The members of the Curia Regis consisted of various officers of the palace, and the prelates and barons of the realm. Of the latter, some from their avocations would be unable to attend, and others from their ignorance would be incompetent to assist in the judicial duties of the Court. These functions were gradually left to the management of a few of the barons who were expressly selected on account of their superior judgment or attainments, until, by the advance of legal science and the increase of technical intricacies, it became necessary at first to associate with them, and eventually to substitute for them, persons whose lives had been devoted to juridical studies. These were called Justiciæ, or Justiciarii; but no record of, nor reference to, any such appointment in this reign has yet been discovered.

The officers who formed a part of the court were the Chief Justiciary, the Constable, the Marshall, the Seneschal, or Dapifer, the Chamberlain, the Chancellor, and the Treasurer. At present it will be necessary to speak only of the Chief Justiciary and the Chancellor.

The Chief Justiciary, or Justiciarius Angliæ, was the chief officer next the king in the Curia Regis. In the sovereign's absence he presided there in all criminal and civil causes, and also in the Exchequer, having by virtue of his office the principal management of the royal revenue: and, in addition to this, the entire government of the state was entrusted to him as regent when the king was absent from the realm.

After a period of two hundred years, this officer was discontinued in the reign of Henry III., when his principal judicial duties were transferred to the chief justice of the King's Bench.

It seems doubtful, however, whether this office of Justiciarius Angliæ was fully established under William the Conqueror; for though in subsequent reigns it was regularly filled, whether the king were absent or present, yet in this reign no such appointment is recorded, except on those occasions when the king quitted his English dominions. It is also to be remarked, that even then he was careful never to delegate his authority to one individual; two being generally joined in the commission, and at one time three. The want of records, however, renders any statement of their succession a matter of great uncertainty: and the only approach that can be made to a correct list, either of them or the chancellors, must be by recording the years in which they were known to have held their respective appointments.

In March, 1067, when King William returned to Normandy, he left his uterine brother, Odo, Bishop of Bayeux and Earl of Kent, and William Fitz-Osberne, Earl of Hereford, as regents of the kingdom and chief justiciaries.[1] The king's absence continued till December 7, during which they exercised sovereign power. No instance, however, is mentioned of their acting after the king's return.

Again, in 1073, the king, on quitting England, left Bishop Odo regent, and appointed William de Warenne and Richard de Benefacta his chief justiciaries[2]; in which office it is not stated how long they continued.

Dugdale[3] states that he has seen precepts addressed to Lanfranc, Archbishop of Canterbury, Geoffrey, Bishop of Coutance, and Robert, Earl of Moreton, which seem to

[1] Dugdale's Chron. Ser.; Madox's Exch. i. 31.
[2] Ibid.
[3] Dugdale's Orig. Jurid. 20.

imply that they held this appointment jointly. The authority from which he quotes gives no date: but it was probably while in the administration of the duties of the office that Geoffrey, Bishop of Coutance, "qui in loco regis fuit, et justiciam habuit," presided at Penenden Heath on the trial of the plea between Archbishop Lanfranc, and Odo, Bishop of Bayeux, relating to certain lands and privileges belonging to the church of Canterbury, which had been seized by Odo as Earl of Kent. This trial appears to have been conducted with great solemnity, in the presence of many prelates and barons, and of all the great men of that and other counties. It lasted three days, and resulted in a decision against Odo, and a restoration of the whole to the Archbishop.[1] Although no precise date is mentioned, this must have occurred, if not before 1080, the supposed commencement of the great survey, at least before 1086, its completion, as it is alluded to in Domesday Book under the manor of Estoches or Stokes.[2]

Brady says that the precept under which this investigation took place was not confined to the matters in dispute between Lanfranc and Odo; but that it was a general one, by which the king commanded the restitution of all lands and liberties taken away from bishopricks and abbeys: and he refers to similar inquiries with respect to the church of Ely, heard before the Bishop of Coutance and certain of the king's barons, and with respect to the church of Worcester, heard before Queen Matilda by the testimony of the county of Warwick.[3]

In these judicial proceedings at a distance from the court Dugdale sees the origin of the Itinera, which were afterwards established on a permanent footing in the reign of Henry II.[4]

[1] Madox's Exch. i. 32. quoting Ernulf Hist. apud Angl. Sac. i. 334, 335.
[2] Brady's England, i. 140.
[3] Ibid. 141.
[4] Dugdale's Orig. Jurid. 52.

The King's Chancellor, *Cancellarius Regis*, was another officer of the Curia Regis; holding at this period a rank greatly inferior to that which he afterwards attained. The origin of the name has been much disputed, and its meaning variously defined; but there is no question that the office existed long before this reign, its antiquity having been traced as far back as the time of Ethelbert, the first king among the Saxons who embraced Christianity. This officer was usually an ecclesiastical person; and "in truth," says Madox, "was the king's chief chaplain, and had the superior care of his chapel:" supporting his assertion by one record in the reign of Henry III., by which he is allowed certain expenses on that account, and another in the reign of Edward I., in which he is expressly so denominated.[1]

His precise duty in the reign of William it is impossible to ascertain; but the nature of it evidently placed him in personal connection with the king, to whom he probably acted as a secretary. There is no doubt that by him were prepared and issued the various writs and precepts in reference to the proceedings of the Curia Regis. It was his province also to supervise the royal charters and grants, and all other instruments to which the king's seal was to be attached; and the seal itself was kept in his custody, or at least under his direction. Dugdale quotes, in evidence of this, the words "Mauritius, Regis Cancellarius, relegit et sigillavit," which are attached to King William's charter of confirmation to the Abbey of Westminster[2]: but, on inspection of this charter in the British Museum, it is declared to be a forgery.

As in the performance of these services the chancellor would necessarily be brought into intimate and almost daily communication with the sovereign, it is natural to suppose that his advice would be frequently required, and that much

[1] Madox's Exch. i. 60.

[2] Dugdale's Orig. Jurid. 34.

reliance would by degrees be placed on his opinion and experience. Thus no doubt did he gradually become a regular counsellor in affairs of state, and thus did his office in time advance from a rank of comparatively minor signification to one of great dignity and pre-eminence; until, when the power of the chief justiciary was finally abolished under Henry III., he was considered the king's chief legal adviser, and in fact prime minister of the realm.

From the account of the allowance made to the chancellor, which is recorded in a very ancient memorial concerning the constitution of the king's house, and copied into the Red Book of the Exchequer, it would appear that this officer was resident in the palace. His allowance was "Five shillings a day, a simnel (described *Dominic.*) and two seasoned simnels; one sextary of clear wine, and one sextary of household wine; one large wax candle, and forty pieces of candle."[1]

The place where the business pertaining to his office was performed was called the Chancery (*Cancellaria*); and, though he had then no jurisdiction to hear and determine causes, it seems not unlikely that questions might arise and be discussed before him as to the form of the writs he was called upon to issue, and the grants and commissions he was required to prepare; in order to prevent in the one case the establishment of evil precedents, and in the other to check impositions on the royal bounty. That this was so in the time of Henry II. may be presumed from the prologue to "The Life of Saint Thomas, Archbishop and Martyr," by William Fitz-Stephen, who says he was one of Becket's "clerks, and an inmate in his family; and as by express invitation I was called to his service, I became a remembrancer in his *Chancery*; a sub-deacon in his chapel, whenever

[1] Madox's Exch. i. 195.

he officiated; *and, when he sat to hear and determine causes, a reader of the bills and petitions;* and sometimes, when he was pleased to order it, I even performed the *office of an advocate.*"[1]

To perform the duties of his department there were necessarily a variety of clerks; among whom are named the *Clericus,* or *Magister Scriptorii,* who was the chief; the *Scriptor rotuli de Cancellaria;* and the *Spigurnell,* or sealer of the writs. The perquisites added to the pecuniary salaries of these officers tend to show that the whole establishment were inmates of the royal palace. The allowance, for instance, of the Clericus Scriptorii was "Tenpence a day, and one seasoned simnel, and half a sextary of the household wine, and one large candle, and twelve pieces of candle." This allowance was considerably increased by Henry II. He took rank next to the chancellor, and his duty was constantly to attend in the Exchequer (where the royal seal was deposited), and to provide fit persons to transcribe the rolls of the court and the documents issuing from it.[2]

Seven chancellors have been assigned to William's reign, with different and sometimes conflicting dates, and some of them occupying the office more than once. No satisfactory attempt has yet been made to place them in regular order, and it must be acknowledged that the want of the public records of the reign renders any endeavour to do so extremely difficult. It is to be regretted, however, that recent writers, who have published works expressly devoted to the subject, should have been satisfied with the lists as they found them, without an effort for either their verification or their correction. It cannot be alleged that no means of investigation exist, since charters of the period are

[1] Fitz-Stephen's Description of London, translated by an antiquary, Dr. Pegge, 1772, p. 19.

[2] Madox's Exch. i. 195.

accessible as well in print as in public and private repositories; the dates of which, even where not actually given, may be traced through the attestation of the witnesses.

The Monasticon contains the largest collection of printed charters of the earlier reigns; and it is not too much to say that, from an examination of them alone, a far more correct arrangement may be formed than any that has hitherto appeared.

In framing the following list, with the charters for my guide, I have stated my reasons for every variation from the former catalogue; and without the presumption of believing that I have discovered the exact truth, I hope I have made some advance towards its attainment.

ARFASTUS is the first individual under the Conqueror, to whose name the title of Chancellor is added in the charters contained in the Monasticon. He is a witness to the charter granted to the dean and canons of St. Martin's, London[1], which is dated at Pentecost, in 1068; that is to say, when King William had been on the throne less than a year and a half. There is nothing to show that he had been then newly appointed; and the fact that he was one of William's chaplains previously to the invasion of England, renders it probable that he was appointed chancellor immediately after the Conquest. A charter to the church of Exeter, dated in 1069, has also his name as chancellor[2]; and about Easter, 1070, he became Bishop of Helmham[3]; which see, a few years afterwards, he removed to Thetford.

OSBERT is not mentioned in any preceding list; but that there was a chancellor of this name appears by his attestation

[1] Dugdale's Monast. (1846), vi. 1325. [2] Ibid. ii. 531.

[3] Lord Campbell has followed the extraordinary blunder in Oldmixon's "Lives of the Lord Chancellors," 1708, in calling Arfastus Bishop of Helmstadt, in Germany; although Spelman, the only authority his lordship cites, expressly describes him as Bishop of Thetford.

to the charter of King William to the monastery of St. Augustine at Canterbury.[1] It has no date, but it must have been granted between 1070 and 1075, as William, Bishop of London, who died in the latter year, and Scotlandus the Abbot, who was raised to that dignity in the former year, are two of its witnesses. Thus it is probable that he succeeded Arfastus when he was elected Bishop of Helmham in 1070, and continued in office till he himself was elevated to the bishoprick of Exeter in 1074. He was sometimes called Osbern.

OSMUND is the next chancellor whose date may be approximated. He attested two undated charters, one to St. Paul's, London[2], and the other to the abbey of Fescamp in Normandy.[3] To the former Archbishop Lanfranc was a witness, so that it must have been granted after 1070, the year of his consecration; and both of them must have been before 1078, when Osmund was elected Bishop of Salisbury.

MAURICE usually stands at the head of the list of chancellors, as well as in this place. But the charter to Westminster Abbey attested by him in 1067, which Dugdale quotes[4], being found on reference to it in the British Museum to be altogether a forgery, I have discovered no other that will justify me in continuing his name under that date. That he was chancellor about this period is proved by King William's confirmation of the grant by William de Warenne and Gundreda his wife of the church of St. Pancras at Lewes to the monks of Cluny[5], which, looking at the foundation, was probably dated about 1078. In 1081 also we find him witnessing the charter confirming the decision of the contest between Arfastus, Bishop of Thetford and Baldwin, Abbot of Bury[6]; and in 1082 he attested King

[1] Dugdale's Monast. i. 144.
[2] Dugdale's St. Paul's (1716), 51.
[3] Monasticon, vi. 1082.
[4] Dugdale's Orig. Jurid. 34.
[5] Archæologia, xxxii. 123.
[6] Monast. iii. 141.

William's charter granting the priory of Covenham to the abbey of Karilephus, in the diocese of Maine.[1] When he retired from the office does not appear; but he was elected Bishop of London either in 1183 or 1185.

WILLIAM WELSON follows in the succession. The attestation of "William the Chancellor" is appended to the Conqueror's charter confirming the grant of Yvo Tailboys to St. Nicholas of Angiers[2]; the first witness to which is William, Bishop of Durham, who was not elected to that see till November, 1080. Its date, therefore, must have been between that time and (if this was William Welson, as seems most probable,) the year 1085, when this chancellor also was made Bishop of Thetford.

If both Maurice and William Welson were raised to the episcopal bench in the same year, the last-recited charter would show that Maurice resigned the Seal before he became a bishop; but if he was elected in 1083, that probably was the period when William obtained possession of the office, which he no doubt retained till his own election to the prelacy.

Some little confusion arises from the next and last chancellor of this reign, WILLIAM GIFFARD, having the same Christian name as his predecessor. There is no positive evidence, for instance, to which of the two the attestation of the last charter is to be ascribed. It is now placed according to the best judgment I could form. In general, however, where the name of William the Chancellor appears, there is some internal or collateral evidence to decide the question. The Monasticon contains no other charter of William I. besides this, that bears the name of William the Chancellor; but as there must have been some chancellor after William Welson's accession to the bishoprick: and as William Giffard

[1] Dugdale's Monast. vi. 993. [2] Ibid. iii. 216.

is always mentioned as holding the office at the death of that king, and there is sufficient evidence that he retained it for some time on the accession of William II., it may be reasonably concluded that he succeeded William Welson on his removal to the prelacy.

Looking, then, at the list thus suggested, and presuming that during the first eighteen months of the reign Arfastus occupied the same position as he did at their termination, it will be found that there is as near a succession as can be expected; each new appointment, except perhaps in the case of Maurice, appearing to be consequent on the elevation of his predecessor to the prelacy; and leaving few intervals that can raise a question.

Besides one new chancellor, not previously introduced, five of the seven contained in former catalogues have found their place, though not in the same order. It now remains to notice the two who have been omitted, and to state the reasons for their exclusion.

1. The first of these is Baldric, introduced by Dugdale, on the authority of a charter which he attributes to William I., granting the church of Andover to the monks of St. Florentius.[1] On consideration of its language, however, it will be manifest that it was granted, not by the Conqueror, but by William II. After the usual introduction it proceeds to recite "that king William, *who subjugated the land of England to himself by arms, gave* (*dedit*) the church of Andover," &c. Now, even if the Conqueror could be supposed to speak of his conquest in this manner (which is not very probable), he would have related the fact in the first person, as "I the king, who" &c. "have given." His son, however, was not at all unlikely to use this language. But what decides the question is, that the first witness to this charter, immediately

[1] Dugdale's Monast. vi. 992.

preceding the chancellor, is "Rotbertus Episcopus de Nicola," (Lincoln); of which see there was *no* bishop of that name in the reign of William I., while under that of William II., *Robert* Bloet was elected, in the year 1093.

To the next reign, therefore, this chancellor must be removed; but it may be as well to notice here that his name, as recorded in the charter, is not Baldric, but Galdric.

2. Herman, Bishop of Sherborne. Thynne says of him, "he is that Hirmanus which, *I suppose*, was chancellor to William the Conqueror:" and upon this sole authority have Philipot and all his copyists, down to the present time, thought proper to continue his name. It is needless to say that I have discovered no charter bearing his name as chancellor.

TABLE OF CHANCELLORS AND CHIEF JUSTICIARIES.

A.R.	A.D.	Chancellors.	Chief Justiciaries.
I.	1067		Odo, Bishop of Bayeux, and Earl of Kent, and William Fitz-Osbern, Earl of Hereford.
	1168	Arfastus, afterwards Bishop of Helmham (1070)	
IV.	1070	Osbert, afterwards Bishop of Exeter (1074)	
VII.	1073		William de Warenne, and Richard de Benefacta.
VIII.	1074	Osmund, afterwards Bishop of Salisbury (1078)	
XII.	1078	Maurice, afterwards Bishop of London (1083-5)	Lanfranc, Archbishop of Canterbury, Geoffrey, Bishop of Constance, and Robert, Earl of Moreton.
XVII.	1083	William Welson, afterwards Bishop of Thetford (1085)	
XX.	1086	William Giffard, afterwards Bishop of Winchester (1100)	

A long controversy has been carried on among antiquaries as to the period when Seals were first appended to instruments for the purpose of attestation: and the argument, that, in the Saxon times, the words *signum* and *sigillum*, appearing

on many ancient charters, were synonymous, has been relied on by the advocates both of their earlier and their later introduction. It is universally allowed, however, that a royal seal was used in this country by Edward the Confessor, who is said to have adopted the practice from Normandy, where he received his education [1]; and the evidence of its existence in the time of William the Conqueror is unquestionable.

The ordinary place of depositing the king's seal about this time, was in the treasury of the Exchequer: and the writs of Chancery were frequently sealed there.[2]

In one part of the Dialogus de Scaccario, the EXCHEQUER is described as being *said* to have been erected at the Conquest[3]; but in another chapter it appears that the sittings which in the author's time, the reign of Henry II., were called. *ad Scaccarium*, had formerly been designated *ad Taleas.*[4] Mr. Stapleton, in his Observations on the Norman Rolls, ascribes the introduction of the Exchequer to the reign of Henry I.; and Alexander de Swereford, an officer of that court under King John, states in the *Red Book* that no yearly rolls of the Conqueror had been seen by any one in his days.[5] At whatever date it was established, it formed a part of Curia Regis, and had the same judges. Its pleas, however, were kept separate from those of the principal court, but it cannot now be determined in what manner the chief justiciary, who presided in both, distributed the proceedings between the two.

It was sometimes called Curia Regis ad Scaccarium; and its name was derived from the table at which it sat, which was "a four-cornered board, about ten feet long and five feet broad, fitted in manner of a table to sit about; on every side whereof is a standing ledge or border, four fingers

[1] Archæologia, xviii. 12. 40.
[2] Madox's Exch. ii. 359.
[3] Rot. Scaccarii Normanniæ, Observations, i. xix—xxii.
[4] Madox's Exch. i. 194.
[4] Ibid. ii. 353.

broad. Upon this board is laid a cloth bought in Easter Term, which is of black colour, rowed with strekes, distant about a foot or span;" like a chess-board. On the spaces of this Scaccarium, or chequered cloth, counters were ranged, with denoting marks, for checking the computations.

The peculiar jurisdiction of this court was to adjust the king's revenue, which, in this and some following reigns, was paid partly in kind and partly in money; the different farms supplying necessaries for the daily use of the king's household, and the cities and towns furnishing money for the soldiers and other purposes of the state.[1] Pleas between private individuals were afterwards heard in this branch of the court, and fines levied and recorded in it; but no instances occur previous to the reign of Henry II.

The king himself sometimes presided; but the chief justiciary was usually styled, and sat as president. He was assisted by the chancellor, treasurer, and barons, both ecclesiastical and secular; and the persons who acted as justices in the King's Court were usually employed as justiciers or barons in the Exchequer; the two designations, *Baro* and *Justiciarius*, being frequently used without any perceivable difference. They were all, however, commonly called *Barones Scaccarii*. In William's reign, there do not appear to have been any barons distinct from those who acted in the King's Court.

From the earliest times there were two notable Terms or periods of the year in the Exchequer, called the *Duo Scaccarii;* one the *Scaccarium Paschæ*, and the other the *Scaccarium S. Michaelis;* being the times at which the writs for levying the king's debts were made returnable.

The natural consequence of the proceedings in the Curia Regis being carried on in a foreign tongue, whether

[1] Dialogus de Scaccario, Madox's Exch. ii. 380.

French or Latin, was that the parties who were engaged in the causes before it were incompetent to conduct them, and were therefore obliged to employ persons who were not only conversant with the law as administered, but familiar with the language of the court. These persons were designated "*Conteurs*," or, in Latin, "*Narratores*." They were at first principally imported from the Norman courts; and none others were allowed to be heard. The only trace of this prohibition now remaining is to be found in the refusal of the courts in Westminster Hall to receive special pleas, &c. without the signature of counsel.

The monopoly which these *Conteurs* or *Countors* enjoyed in the fees for their services is stated by Mr. Sergeant Manning[1] to have induced the Conqueror, or his more immediate successors, to treat their office as a "*Serjeanty in gross;*" and to assume, if they did not possess it before, the right of appointing to this serjeanty. The mode in which this was effected was by a royal mandate or writ, issued in the most solemn form, under the great seal, and addressed to the serjeants practising in the Curia Regis. The same course was afterwards adopted when the Court of Common Pleas was established, and has ever since been continued.

The following is the form that is found in the most ancient registers: —

"Rex, &c. N. N. salutem. Quia de advisamento consilii nostri ordinavimus vos ad statum et gradum servientis ad legem . . . die mensis . . . proximo futuro, suscepturos: Vobis mandamus, firmiter injungentes, quod vos ad statum et gradum prædictum, ad diem et locum, in forma prædicta suscipiendum, ordinetis et præparetis: et hoc sub pœna mille librarum nullatenus omittatis. Teste, &c."[2]

[1] Manning's Serviens ad Legem, Preface, ix. [2] Dugdale's Orig. Jurid. 136.

The modern form is precisely the same: —

"To our trusty and well-beloved —— greeting. Forasmuch as, by the advice of our council, we have ordained you to take upon you the state and degree of a serjeant-at-law, on" &c., "We, strictly enjoining, command you to put in order and prepare yourself, to take upon you the state and degree aforesaid in form aforesaid, and this you may in nowise omit under the pain of one thousand pounds."[1]

Lord Coke notices four several marks of dignity attaching to a serjeant in the mode of his appointment: — 1. That he is called by the king by advice of his council; 2. That he is called by the king's writ; 3. That the writ is directed to him in the plural number, *vobis*, a special mark of dignity; 4. That he is called *ad statum et gradum servientis ad legem.*[2]

It is needless to say that no writ of this early period is extant. The first that occurs is in the reign of Richard II.; and Dugdale's list of serjeants commences only in that of Edward I.

The oath administered to a serjeant on his creation was in the following form: —

"You shall swear well and truly to serve the king's people as one of the serjeants-at-law; and you shall truly counsel them that you be retained with, after your cunning; and you shall not defer or delay their causes willingly for covetise of money or other thing that may turn you to profit, and you shall give due attendance accordingly: So help you God."

In the earlier times all serjeants-at-law appear to have been called "*Servientes* REGIS *ad Legem;*" and no distinction seems to have existed between that title and the simple one of *serviens ad legem*, while the Curia Regis constituted one entire court. But afterwards the former title was applied to

[1] Manning's Serviens ad Legem, 33. [2] Preface to Coke's 10 Report.

those only who, having been previously called by writ to the degree of serjeant-at-law, were specially appointed by letters patent to transact the king's business.[1]

Sir Henry Chauncey[2], however, who was a serjeant-at-law in 1700, says that they were originally distinct; the *servientes regis ad legem* sitting with the sheriff in the county court, and the *servientes ad legem* sitting with the great lords in the courts held for their manors. That serjeants did attend at these courts is proved by Bracton[3]; but the question must remain undetermined whether there was any difference in their degree.

Few men in those ages were learned in the laws except the clergy, who were bound by their order to shave their heads. The serjeant-countors, being originally part of this body, were of course obliged to follow the rule; but for "decency and comeliness," or rather perhaps for warmth, were by degrees allowed to cover their baldness with a coif. This was at first a thin linen cover gathered together in the form of a skull or helmet; the material being afterwards changed into white silk, and the form eventually into the black patch at the top of the forensic wig, which is now the distinguishing mark of the degree. Thus they were frequently called *serjeants of the coif.*

The remainder of the dress was a long priest-like robe, with a cape about the shoulders furred with lambskin, and a hood with two labels upon it. They had also party-coloured robes, "that the people," as Chauncey says, "should show the greater respect as well to their persons as their profession." It seems, however, probable that these party-coloured robes were not introduced till about the time of Chaucer, who inveighs against them as a new fashion.

[1] Manning's Serviens ad Legem, Preface, ix.
[2] Hist. Antiq. of Herts, 75.
[3] Wynne's Serjeant-at-law, 15.

There is no record of the names of any of the countors or serjeants who flourished in this reign and practised in the Curia Regis: but several of the clergy are noted for their legal learning. In the great cause between Lanfranc and Odo, Agelric, the venerable Bishop of Chichester, was by the king's command brought to Penenden Heath in a chariot, to instruct the judges in the ancient laws and customs of the land, as the most skilful person in the knowledge of them; and Alfwin, rector of Sutton, and Sacolus and Godric, monks of Abingdon, are all mentioned as persons so expert in those laws, that others in divers parts did easily submit to their judgment.[1]

History reports but few other cases tried in this reign besides those already mentioned as to the restitution of the church's lands and liberties. The great cause between Lanfranc, Archbishop of Canterbury, and Thomas, Archbishop of York, relative to the primacy, was opened in Easter, 1072, at the king's court at Winchester, and was determined at the following Whitsuntide, when the king held his court at Windsor.

In a contest relative to the land of Fracenham, which Gundolf, Bishop of Rochester, claimed as belonging to his church, and Pichot, Sheriff of Cambridgeshire, alleged to be the king's, the question was referred by the king to be tried by the men of the county. Odo, Bishop of Bayeux, presided on the occasion, and after a double hearing decided in favour of Gundolf; fining twelve who had sworn untruly in favour of the sheriff, in the then enormous sum of 300*l*. The controversy between Arfastus, Bishop of Helmham, and the Abbot of Bury, in 1081, has already been referred to.

[1] Dugdale's Orig. Jurid. 21.

BIOGRAPHICAL NOTICES

OF

THE JUDGES UNDER THE REIGN OF WILLIAM I.

ARFASTUS, or HERFASTUS, Bishop of Helmham and Thetford.

Chancellor, 1068.

Arfastus, or Herfastus, was by birth a Norman, and was one of the chaplains of William the Conqueror before his invasion of England. He had previously been a monk in the Abbey of Bec in Normandy, where, from the greater ignorance of his brethren, his slender pretensions to learning made some show. It seems, however, that he was merely *luscus inter strabones*, a blinkard among the blind: and it is related that after Lanfranc had raised the character of the abbey, Arfastus, as one of the duke's chaplains, visited it in great pomp; when Lanfranc, soon discovering his deficiencies, somewhat rudely ridiculed and exposed them; an indignity which Arfastus revenged by procuring his temporary disgrace and banishment.[1]

After the Conquest, Arfastus continued in great favour with King William, and became his chancellor. The date of his appointment does not appear; but as it is certain that he held the office at Whitsuntide, 1068, his name with that addition being attached to the charter which William then granted to the church of St. Martin's-le-Grand, in London[2], it is not unlikely that he was William's first chancellor.

[1] Godwin de Præsulibus, 1743, p. 60.

[2] Monast. Anglic. vi. 1324.

Dugdale, in his "Chronica Series," and Oldmixon and Lord Campbell, in their "Lives of the Lord Chancellors," give the date of 1073, referring to the same charter; an inspection of which will prove their error. Thynne, Philipot, and Spelman state it correctly.

He was chancellor in the following year, 1069, being an attesting witness to King William's charter to the church at Exeter.[1] He probably retired about the middle of the year 1070, when he received the bishoprick of Helmham in Norfolk; not Helmstadt in Germany, as Oldmixon and Lord Campbell erroneously assert.

In 1075, in consequence of the mandate of the council of London, that the episcopal sees should be transferred from villages to the most eminent towns in their dioceses, this see was removed to Thetford; and the bishop made a subsequent attempt to fix it at Bury. Alleging that a great part of the revenues then belonging to the monastery there had been alienated from the see by his predecessor, he took active measures against the Abbot Aylwin; but that dignitary, claiming to be exempt from the episcopal jurisdiction, strenuously defended the rights of his house; and the contest, notwithstanding the bishop's interest with the king, was decided against him in 1081.

One author places Arfastus as chancellor again in 1077[2], and another mentions Maurice in the same year[3]; but as they neither cite any authority, and as there is proof that Maurice was chancellor probably in 1078, and certainly in 1081, when the above decision was pronounced between the bishop and the abbot, no sufficient ground is offered for reliance on this statement.

[1] Monast. Anglic. ii. 531.

[2] Francis Thynne's Catalogue, in Holinshed's Chron. 1808. iv. 348. Spelman merely copies him.

[3] Philipot's Catalogue, 1636, p. 4.

That he was not deprived, however, of the royal favour is evidenced by the grant which he received of all the churches and various other possessions in Thetford; where, assisted by Roger Bigod, he rebuilt the church of St. Mary, and spared neither pains nor cost in augmenting and improving his see.

His death occurred in 1084, and he was buried in the cathedral at Thetford. Weever has preserved his epitaph. He bequeathed his possessions among Richard and his other sons, who, no doubt, were born long before the promulgation of the decree of the synod of Winchester in 1076, enforcing the celibacy of the clergy.[1]

His successor in the bishoprick was William Welson, or Bellofago, another chancellor of the Conqueror.

BAYEUX, Bishop of. *See* Odo.

BEAUFO,
BELFAGUS,
BELLOFAGO. } *See* William Welson.

BENEFACTA, RICHARD DE. *See* Richard de Fitz-Gilbert.

CANTERBURY, Archbishop of. *See* Lanfranc.

CLARE, RICHARD DE. *See* Richard Fitz-Gilbert.

CORNWALL, Earl of. *See* Robert.

COUTANCE, Bishop of. *See* Geoffrey.

DORSET, Earl of. *See* Osmund.

EXETER, Bishop of. *See* Osbert.

FITZ-GILBERT, RICHARD DE, or, De Benefacta; or, De Tunbridge; or, De Clare.

Just. Angl. 1073.

This great man is mentioned under all these names. He was first called Richard Fitz-Gilbert, from his father; and afterwards de Benefacta, from his estate of Benefield in Northamptonshire; de Tunbridge, from that castle in Kent; and

[1] Weever's Funeral Monuments, 785. 827.; Bloomfield's Norfolk, i. 404. and Norwich, i. 463.

de Clare, from the honour or earldom of that name in Suffolk; all of which were included in his possessions.

He was the son of Gilbert Crispin, Earl of Brion and Ou, whose father Geoffrey was a natural son of Richard I. Duke of Normandy: so that he was second cousin to the Conqueror on his father's side; and if his mother was, as one pedigree asserts [1], Arlotta, who was also mother of the Conqueror, he was, on her side, that monarch's half-brother: but this relationship is very doubtful.

Thus closely allied to the duke, he naturally joined him in his enterprise against England, and was a participator in the dangers of the field of Hastings. His share in the lands distributed among the Norman adventurers, it may be presumed, was not a niggardly one. At the general survey he was found to be possessed (among others) of thirty-eight lordships in Surrey, thirty-five in Essex, three in Cambridgeshire, and ninety-five in Suffolk, of which Clare was the chief, the name of which his descendants adopted. He exchanged the strong castle of Brion in Normandy, which he inherited, for the town and castle of Tunbridge, with a circuit round them, the extent of which was fixed by the same rope by which his own domains at Brion had been measured, comprehending three miles from every part of the walls.

When King William went to Normandy in 1073, he was left as joint chief justiciary of the kingdom with William de Warenne. While exercising this power, little is recorded of them, except that about three years afterwards they defeated Roger Fitz-Osberne, Earl of Hereford, and Ralph de Guader, Earl of Norfolk, who had headed a rebellion against the royal authority. The battle was fought at Fagadun or Bicham in Norfolk, and the leaders were com-

[1] Manning and Bray's Surrey, i. xix.

pelled to appear at the king's court, and receive their sentences.

After the Conqueror's death he at first took the part of his son Robert, but afterwards adhered to William Rufus, and his successor Henry I. In the reign of the latter he was slain in an ambush, while marching to his property in Cardiganshire.

He married Rohais, the daughter of Walter Giffard, Earl of Buckingham, who, after his death, married Eudo the Dapifer. By her he left five sons, the eldest of whom was Gilbert, who is generally spoken of as *de Tunbridge*, whose eldest son, Richard, was created Earl of Hertford, a title which was successively enjoyed (together with that of Clare) by his two sons Gilbert and Roger de Clare; the latter of whom will be mentioned under the reign of Henry II. Gilbert's second son, Gilbert, was created Earl of Pembroke by King Stephen, and this title devolved on the famous William Mareschall, who will be noticed under the reign of Richard I., by his marriage with this earl's grand-daughter.[1]

FITZ-OSBERNE, WILLIAM, Earl of Hereford.

Just. Angl. 1067.

William Fitz-Osberne was the son of Osberne de Crepon, and grandson of Herfastus, who was the brother of Gunnora, a forester's daughter, first concubine, and then wife, to Richard I., the third Duke of Normandy, and great-grandfather of William the Conqueror. He was consequently connected by distant relationship with the young prince, and was brought up with him from infancy. On his father's death he succeeded to the office of steward or dapifer in the ducal household, and was Count of Bretteville in

[1] Madox's Exch. i. 32.; Dugdale's Baronage, i. 206.; Manning and Bray's Surrey, i. xix.; Brady's England, &c.

Normandy. After the accession of Duke William, Fitz-Osberne aided him in quelling every civil commotion of his Norman subjects. To his instigation was attributed the determination of William to undertake the invasion of England, and when the nobles opposed the expedition, his address and cunning induced them not only to withdraw their objections, but to come forward with liberal supplies. Forty of the ships to convey the invading army were equipped at his own expense, and one of the three divisions at the battle of Hastings was placed under his command.

Having contributed to the conquest of England, he assisted greatly in the maintenance of the acquisition by his valour and good counsels. To his vigilance was entrusted the erection of a castle at Winchester for the purpose of overawing the inhabitants; and when, in the year after the conquest, the king returned to Normandy, to him and to Odo, Bishop of Bayeux, the government of the realm was committed as chief justiciaries. The southern division was appropriated to Odo, and the northern to Fitz-Osberne, on whom the earldom of Hereford, and the office of constable or marshal (Magister Militum), were also conferred.

Besides presiding over the Curia Regis during the king's absence, they also managed the king's revenue; but their conduct was so arrogant and rapacious that the indignation of the English was roused. The efforts of the people, however, to relieve themselves were so ill-concerted that they were easily subdued; and the regents were rewarded, instead of being punished for their oppression.

In 1069 we find Fitz-Osberne assisting his sovereign in the suppression of various insurrections in the north and in the west of England; and in conjunction with Walter de Lacy opposing the Welsh. Soon after he was employed by the king in aiding Queen Matilda in the defence of Normandy; and in 1072 he proceeded to Flanders to assist

Arnulph, the heir of Baldwin, its earl, in resisting the invasion of the disinherited Robert de Frison. In this expedition he was surprised by the exile, and perished through his careless security.

To his zeal, courage, and wisdom, King William was greatly indebted for his success; and he was rewarded accordingly. Besides the grant of the county of Hereford, he received the Isle of Wight and various other possessions and advantages, the extent and number of which are uncertain, as the general survey did not take place till several years after his death. But, notwithstanding the rich gifts which were lavished on him, his prodigality always left him in poverty, which King William, with whom he was a great favourite, at once chided and supplied. Quarrels, however, would now and then occur between his sovereign and him. On one occasion, being steward of the household, he had set upon the royal table the flesh of a crane scarcely half-roasted, when the king in his rage aimed a severe blow at him, which, though it was warded off by Eudo, another favourite, so offended Fitz-Osberne, that he resigned his office, which, at his request, the king then conferred on Eudo, who in history is always mentioned as Eudo Dapifer.

He introduced into Hereford many of the laws and customs of his Norman seignory of Bretteville. In building the castle of Gloucester he destroyed sixteen houses; and by his advice, the king seized all the money and valuables which private individuals had lodged for security in the monasteries. Though brave and generous as a soldier, he was severe and oppressive in his government, and was looked upon as the pride of the Normans and the scourge of the English.

He was twice married. His first wife was Adeline, daughter of Roger de Toney, a great Norman baron[1],

[1] Dugdale's Baronage, i. 67. Yet this author afterwards says, p. 469., that Roger de Toni married Alice, daughter of William Fitz-Osberne.

standard-bearer of King William; and the second was Richild, daughter and heir of Reginald, Earl of Henault, the mother by a former husband of Arnulph, in whose cause he fell. By the latter he had no children; and though by the former he left three sons and two daughters, his title and his family soon became extinct.

William, his eldest son, succeeded to his Norman possessions, and died without issue; Ralph, his second son, became a monk; and his third son, Roger, upon whom the earldom of Hereford devolved, entered into a conspiracy against the king with Ralph de Guader, Earl of Norfolk, his sister's husband; and being defeated in 1076 by William de Warenne and Richard de Benefacta or Fitz-Gilbert, the justiciaries, was sentenced to imprisonment, which only terminated with his life, accompanied with a forfeiture of all his property.[1]

GEOFFREY, BISHOP OF COUTANCE.

JUST. ANGL. ? 107..

GEOFFREY was a member of the noble Norman house of Mowbray, and was elected bishop of the see of Coutance (Constantia), in Lower Normandy, in 1048. He was, however, more of a soldier than a divine, and, accompanying William on his invasion of England, held a distinguished command in the battle of Hastings. He assisted at the coronation of the Conqueror, and harangued the Normans on the occasion. He afterwards exerted himself in suppressing the rebellions of the English, and in resisting the incursions of the Danes. At the head of the men of Monmouth, London, and Salisbury, he checked the assault of the West-Saxons of Dorset and Somerset on Montacute, and he joined

[1] Will. Malmesb. Gesta Regum Angl. pp. 396. 431.; Madox's Exch. i. 31. 40. 49. 78.; Dugdale's Baronage; Chauncey's Hertf. 121.; Daniel, Turner, Rapin; Spelman's Earl Marshals.

in reducing to subjection the rebels under the Earls of Hereford and Norfolk.

Dugdale is of opinion, that during some part of William's reign he held the office of chief justiciary in conjunction with Lanfranc, Archbishop of Canterbury, and Robert, Earl of Moreton; having seen several precepts directed to them by the king which bear that interpretation. There is no doubt that he presided *in loco regis* at the contest between Archbishop Lanfranc and Bishop Odo, relative to certain lands and rights of which the former alleged his church of Canterbury had been dissesised by the latter. The trial took place on Penenden Heath, about 1076, lasting three days, and was decided in favour of Lanfranc.

During William's life he devoted himself faithfully to his service, and was present when the last honours were paid to his remains. After his death, he assisted Robert, the king's eldest son, in his attempt on the English crown, and having with his nephew, Robert Mowbray, Earl of Northumberland, ravaged Bath, Berkeley, and part of Wiltshire, they fortified themselves in Bristol. On the failure of Robert's enterprise, the bishop was allowed to return to Normandy, where he died on February 4, 1093; but his less fortunate nephew, entering into a new conspiracy, was two years afterwards vanquished by the king's forces, and confined in Windsor Castle, where he languished for the remainder of his life.

The Conqueror held Geoffrey in high esteem, and rewarded his services with no less than 280 English manors, which were all forfeited to the crown on the revolt of his nephew Robert, to whom he had left them. Before the earldom of Northumberland was given to this Robert, it was for a time under the government of Bishop Geoffrey.[1]

[1] Monast. Anglic. 1846, i. 546.; Will. Malmesb. 487.; Madox's Exch. i. 32.; Dugdale's Orig. Jurid. 20.; Dugdale's Baronage, i. 56.; Hutchins's Dorsetsh. i. 11.; Rapin, Turner, Lingard.

GIFFARD, WILLIAM, afterwards BISHOP OF WINCHESTER.
CHANCELLOR, 1086.

See under the reigns of William II. and Henry I.

HELMHAM, BISHOP OF. *See* ARFASTUS.
HEREFORD, EARL OF. *See* W. FITZ-OSBERNE.
HERFASTUS. *See* ARFASTUS.

HERMAN, BISHOP OF SHERBORNE AND SALISBURY.
? CHANCELLOR, 10..

THIS prelate was of Flemish origin, and had been one of the chaplains of Edward the Confessor, by whom he was advanced in 1045 to the small bishoprick of Wilton, which in the preceding century had been cut off from the diocese of Sherborne, and the seat of which was sometimes at Wilton, sometimes at Ramsbury, and sometimes at Sunning. In 1050 he visited Rome in company with Aldred, Bishop of Worcester, and on his return he used his utmost endeavours to remove his see to Malmsbury; but, though the king consented, he was defeated by the opposition of the monks there. Indignant and disgusted, he retired to Bertin, in France, in 1055, and remained in that monastery for three years. On the death, however, of Efwold, Bishop of Sherborne, in 1058, he returned and succeeded in procuring the re-union of the two sees of Sherborne and Wilton. In 1070 he assisted at the consecration of Lanfranc to the archbishoprick of Canterbury; and in 1075, taking advantage of the order of the Council of London, that the bishop's sees should be removed from obscure places to towns of greater note, he effected the transfer of his to Old Sarum; no doubt, however, under the influence of favour, as that place was then little better than a castle. He there commenced the erection of the cathedral, but did not live to witness its completion. His death is fixed

by different writers in the years 1076, 1077, and 1078: he was succeeded by Osmund, who will be presently noticed.

Thynne, in his Catalogue of Chancellors, introduces him with these words, "He is that Hirmanus which, I suppose, was chancellor to William the Conqueror." Upon such authority as this, and I find no other, I should think myself bold to imitate the followers of Thynne, who have unhesitatingly admitted his name.

He wrote the Life and Miracles of St. Edmund, king of the East Angles, which, it is understood, is about to be published by the English Historical Society.[1]

KENT, EARL OF. *See* ODO.

LANFRANC, ARCHBISHOP OF CANTERBURY.

JUST. ANGL. 107..

THIS learned divine was born at Pavia about the year 1005, and belonged to an illustrious family which is said to have descended from the emperors Carus and Numerian. After acquiring some celebrity in his native city, where he was for several years professor of laws, his anxiety to travel took him to Normandy, where he first opened a school at Avranches, and eventually, about 1042, retired to the poor and lonely abbey of Bec, then one of the most insignificant of the Norman monasteries. Herluin, the abbot, discovering his talents, induced him to resume his office of teacher, and the fame of his lectures became so widely extended, that students flocked to them from all parts; Pope Alexander II. being one of his pupils.

He thus diffused a taste for knowledge among the clergy,

[1] Thynne's Catalogue; Holinsh. iv. 348; Godwin de Præsul. 336.; Hutchins's Dorsetsh. ii. 373.

and to him, in a great degree, is to be attributed the revival of Latin literature and the liberal arts in France. His exposure of the ignorance of Arfastus has been already mentioned, and the enmity it occasioned. Its effect, however, was soon removed by the good humour of Duke William, and he became first a monk, and then prior, of the monastery. Among the students who came to receive his instructions, there were some who had been pupils of Berengarius, Archdeacon of Angers, who was master of a school at Tours. This desertion exciting the envy of Berengarius, who had propounded some doctrines relative to the Eucharist in opposition to those maintained by the Roman church, he in revenge endeavoured to implicate Lanfranc in the same opinions. Lanfranc, however, had little difficulty, not merely in satisfying the Pontiff of his orthodoxy, but in establishing such a reputation at Rome, as to be called upon to refute the obnoxious heresy in the Council then assembled.

Duke William, who highly appreciated his talents, took advantage of his visit to Rome, by employing him to obtain a repeal of the sentence of excommunication to which he had been subjected by Mauger, Archbishop of Rouen, on account of his marriage with Matilda, alleged to be related to him within the forbidden degrees of consanguinity. Lanfranc was successful in obtaining the papal dispensation, accompanied by a condition that William and his wife should each found an abbey at Caen. This injunction they immediately obeyed; dedicating one of them to St. Stephen, and the other to the Holy Trinity. Of the former, Lanfranc was appointed the first abbot in 1063, and pursued his lectures there with increased celebrity.

The abilities evinced by Lanfranc in this negotiation secured to him the confidence and favour of William, who not only entrusted to him the education of his children, but offered him the archbishoprick of Rouen. This promotion he

was allowed to refuse: but after the Conquest, on the removal of Stigand from the archbishoprick of Canterbury, the king, feeling the importance of supplying his place with a man of weight and prudence, faithful to his interests, and equal to the burden, selected Lanfranc as his successor, and overcame the scruples with which the modest abbot resisted his elevation. He was not only willingly accepted by the monks, and approved by the barons and people, but gladly confirmed by the Pope. He was accordingly consecrated in August, 1070, and on visiting Rome in the following year to receive the pall, was welcomed with particular respect by his former pupil Alexander II., who rose to give him audience, kissed him instead of presenting his slipper for that obeisance, and not satisfied with giving him the usual pall, invested him with that which he had himself used in celebrating mass. In this visit he defended the rights of the church of Canterbury against the claims of Thomas, Archbishop of York; and eventually succeeded in establishing them before the king, to whose decision the Pontiff referred the question.

On his return from Rome, he devoted himself strenuously to the duties of his office, and laboured successfully in reforming the irregularities and rudeness of the clergy. His severity in depriving many occasioned considerable complaints; but the introduction of foreign scholars in their places contributed effectually to the enlightenment of the nation. His efforts in support of his church were unremitting, nor were they repressed by the power of his opponents. Finding that the king's brother, Odo, Bishop of Bayeux, and Earl of Kent, while Stigand was in disgrace, had taken possession of many of the manors belonging to the archbishoprick, Lanfranc instituted a suit against him, which was tried before Geoffrey, Bishop of Coutance, at a shiremote on Penenden Heath, when, after three days' hearing, the restoration of twenty-five manors was adjudged to him.

Enjoying the favour of the Conqueror and of his successor, (whom he crowned, and whose selection, in preference of the eldest son Robert, is attributed to his recommendation,) he employed the power he thus acquired in the advancement of justice and the protection of the English. His private charities were widely diffused; and his munificence as a prelate is proved by his rebuilding the cathedral of Canterbury, recently destroyed by fire, together with all the buildings for the monks, whose numbers he increased from twenty to one hundred and forty. He founded also the two hospitals of St. Nicholas at Harbledown, and of St. John at Canterbury, for lepers and the infirm: he repaired many churches and monasteries in his diocese which had suffered in the wars, and he contributed largely to the restoration of Rochester Cathedral.

Dugdale infers that Lanfranc, in conjunction with Geoffrey, Bishop of Coutance, and Robert, Earl of Moreton, held the office of chief justiciary during some part of the Conqueror's reign, from the existence of several precepts he had seen, directed to them by the king, which he can only thus interpret. How far this inference is correctly drawn, we have not the means of judging, but his influence with the king was undoubted. The arrest of Odo is ascribed to his overcoming the Conqueror's reluctance to touch an ecclesiastical person, by suggesting that he might take him, not as Bishop of Bayeux, but as Earl of Kent.

After a useful and active occupation of the primacy for nineteen years, he died in May, 1089, at the age of 84; and was buried in his cathedral.

Although devoted to literature during the whole of his life, few proofs of his learning remain. His principal work was his treatise against Berengarius. The others were chiefly upon ecclesiastical matters, including a commentary on the Epistles

of St. Paul. Several editions of his writings have been published.[1]

LONDON, BISHOP OF. *See* MAURICE.
MAINE, ARCHDEACON OF. *See* MAURICE.

MAURICE, ARCHDEACON OF MAINE; BISHOP OF LONDON.

CHANCELLOR, 1078.

OF the early life of Maurice no details have been discovered. At the time of the Conquest he was one of William's chaplains, and so continued until he was appointed Bishop of London. This event is stated in the Annals of Waverley to have occurred in 1083; but the Saxon Chronicle and other authorities fix his elevation at Christmas, 1085.

He is generally named as the first chancellor of King William; and Dugdale quotes a charter of confirmation to Westminster Abbey, dated 1067, which he witnesses as "Regis Cancellarius."[2] That document, however, on examination, is found to be a forgery: and no other record of that period, with his name as chancellor, having been found, his appointment must be removed to a later date. The earliest that occurs is William's charter confirming the deed by which William de Warenne, and Gundreda his wife, gave the priory of Lewes to the monastery of Cluny[3]: and this was granted about 1078. His name is also attached to the king's decision of the controversy between Arfastus, Bishop of Thetford, and the Abbot of Bury, which was pronounced in the year 1081[4]; and to a charter granted to the abbey of Karilephus

[1] Biog. Britan. Literaria, ii. 1.; Godwin de Præsul. 59.; Madox's Exch. i. 8. 32.; Dugdale's Orig. Jurid. 20.; Will. Malmesb. 447—495.; Roger de Wendover, ii. 8—36.; Daniel, Lingard, Rapin, &c.

[2] Dugdale's Orig. Jurid. 34.

[3] Archæologia, xxxii. 123.

[4] Bloomfield's Norwich, i. 464.; Dugdale's Monast. (1846), iii. 141.

in 1082[1]; in the latter of which he is styled "Cenomanensis Ecclesiæ Archidiaconus."

His retirement from the chancellorship took place shortly afterwards, possibly on his election to the bishoprick of London, if it occurred in 1083; but certainly before 1085, as his successor, William Welson, was himself raised to the episcopal bench in that year.

The private character of Maurice does not seem to have stood very high, although the grounds on which it is slightingly mentioned are not named. But after his elevation to the bishoprick of London he is universally praised for the liberality and zeal with which he devoted himself to the re-edification of the cathedral of St. Paul's, when it was destroyed by the fire that consumed the greatest part of London in 1086. The bishop was not satisfied to restore it to its former appearance, but determined to rebuild it in a magnificent manner. He laid foundations so vast in extent, that his contemporaries would not believe that the pile could ever be completed; nor was it till some time after his death, although he applied himself diligently and energetically to the work during the remainder of his life. The king assisted his labours by permitting him to employ in its structure the stones of a castle called the Palatine Tower, which then stood at the entrance of the Fleet river, near the present site of Bridewell; and he granted to him and his successors the town and castle of Bishop's Stortford, with the estates attached to it.

That Maurice, on the death of the Conqueror, did not side with his eldest son Robert, appears from his attending the first court of William II. at Christmas, 1087; and crowning Henry I. in 1100.

[1] Dugdale's Monast. (1846), vi. 993.

He died on September 26, 1107, having presided over the see for nearly twenty-two years.[1]

MORETON, OR MORTAGNE, EARL OF. *See* ROBERT.

ODO, BISHOP OF BAYEUX AND EARL OF KENT.

JUST. ANGL. 1067.

See under the reign of William II.

OSBERT. ? BISHOP OF EXETER.

CHANCELLOR, 1070.

THE name of Osbert has not hitherto been introduced among the chancellors of this reign, and is now offered on the authority of a charter granted by King William to the monastery of St. Augustine at Canterbury; among the signatures to which appears "Signum Osberti Cancellarii." Two other signatures are those of Scotland the Abbot, and William, Bishop of London: and as the former was appointed in 1070 and the latter died in 1075, the date of the charter must have been between those two years, or in one of them.[2]

If, as is most probable, he were the Osbert who was made Bishop of Exeter in 1074, the period within which he held the chancellorship is reduced even to a shorter compass. The bishop was a Norman by birth, and is described by Malmesbury as "frater Gulielmi pre-excellentissimi comitis," and brought up in the court of King Edward. He ruled the see for nearly thirty years, and died in 1103. He sometimes is called Osbern, under which name he attested the charter to St. Martin's in London, in 1068, as chaplain; and he used both names indiscriminately as bishop.[3]

[1] Stow's London, 35. 61.; Godwin de Præsul. 175.; Madox's Exch. i. 7, 8.; Ellis's Introd. to Domesday Book.

[2] Monast. Anglic. i. 144.

[3] Ibid. iii. 141., iv. 16, 17. 20., vi. 1325.; Le Neve, 80.; Godwin de Præsul. 401.

OSMUND, EARL OF DORSET; BISHOP OF SALISBURY.

CHANCELLOR, ? 1075.

ACCORDING to one of the episcopal chartularies, Osmund was the nephew of William the Conqueror, being son of his sister Isabella, the wife of Henry, Count of Seez, in Normandy.[1] To this title he succeeded, and came over as a layman in the retinue of his uncle, who is said to have created him Earl of Dorset. Dugdale, however, does not include his name in his Baronage. Be that as it may, there is no doubt that King William selected him for his superior judgment as one of his principal advisers, and placed him in the office of chancellor.

The date of his appointment is uncertain, but it is evidently not so early as is usually assigned. Arfastus was chancellor in 1068, if not before, and Osbert somewhere between 1070 and 1074. William's charter of confirmation to the cathedral church of St. Paul[2], to which the name "Osmund the Chancellor" is attached as one of the witnesses, must have been granted after 1070, inasmuch as Lanfranc the archbishop is another witness, and he was not consecrated till that year. Osmund probably succeeded on Osbert's elevation to the prelacy about 1075, one of the dates given by Thynne and Philipot; and there is every reason to presume that he retained the seal till his own appointment as Bishop of Salisbury in 1078, as no other chancellor occurs in the intervening period.

There is another charter with his name as chancellor, confirming the land of Staning, in Sussex, to the abbey of Fescamp, in Normandy[3]; but it affords no evidence of having been granted either at an earlier or a later date.

[1] Hist. of Modern Wilts, by Sir R. C. Hoare, Bart., City of Salisbury, 8., quoting Registrum Rubrum H.

[2] Dugdale's St. Paul's (1716), p. 51.

[3] Dugdale's Monast. (1846), vi. 1082.

On the death of Herman, Bishop of Salisbury, Osmund, having become an ecclesiastic, was appointed his successor. His first efforts were devoted to the completion of the cathedral commenced by Herman, which he effected in the year 1092, founding a deanery and thirty-six canonries in it, and nobly endowing it with various churches and towns. In his charter of foundation[1], he calls himself merely Bishop of Salisbury, without any reference to his Norman or English titles of Seez and Dorset.

He died on December 3 or 4, 1099, and was buried in the cathedral he erected; but his remains were removed in 1457 to the new cathedral, where they now lie under a plain stone, with no other inscription than the date of his death.

The title of Osmund the Good, which he acquired in his life, is the best illustration of his character; he was a prelate of the severest manners and strictest moderation, filling his office with dignity and reputation, the patron of learned men, and an impartial assertor of the rights of his see. He was canonized by Pope Calixtus in 1457, above 350 years after his death, the day of that event being made sacred to his memory.

To bring into some uniformity the services of the church, he compiled the breviary, missal, and ritual, which, under the name of "The Use of Sarum," was afterwards generally adopted, and continued to be employed till the Reformation. The first Salisbury missal was printed abroad in 1494, the last in London in 1557. He is also stated to have written the life of St. Aldhelm, first bishop of Sherborne.[2]

[1] Monast. Anglic. vi. 1294.

[2] Godwin de Præsul. 336.; Hutchins's Dorsetsh. i. 10. &c.; Le Neve, 256.; Watt's Biblioth. Britan.; Biog. Brit. Literaria, ii. 23.

ROBERT, EARL OF MORETON OR MORTAGNE, AND EARL OF CORNWALL.

JUST. ANGL. 107..

ARLOTTA, the mistress of Robert, Duke of Normandy, and mother of William the Conqueror, afterwards married Herluin de Conteville, the founder of the abbey of Crestein, and had by him two sons, the eldest of whom was this Robert, and the youngest was Odo, Bishop of Bayeux. Robert received from Duke William the Barony of Bourgh and the Earldom of Moreton or Mortagne in Normandy.

When the invasion of England was projected, Robert greatly promoted the expedition, and assisted in the triumph of his brother, bearing the banner of St. Michael before him in the battle. As a warrior, he would not have been overlooked by the generosity of William; but, considering even his relationship to the Conqueror, his share in the spoil seems enormous. He not only was created Earl of Cornwall, but received vast possessions in various counties, amounting, it is stated, to no less than 973 manors.

Although he is described as somewhat heavy in intellect, yet, with these proofs of the king's affection, it is not unlikely that he should have been appointed, in conjunction with Archbishop Lanfranc, and Geoffrey, Bishop of Coutance, to the office of chief justiciary during some part of this reign, as Dugdale supposes from several precepts having been discovered which appear to bear that interpretation.

It is believed that he outlived the Conqueror, and died about 1090; his remains were buried in the church of Bermondsey, where he had a mansion.

He was a great benefactor to his father's abbey of Crestein, as well as to various other religious houses both in Normandy and England; and he founded the

monastery of St. Michael's in Cornwall, in memory of the banner he had borne at Hastings.

By his wife Maud, the daughter of Roger de Montgomery, Earl of Shrewsbury, he left a son William, who succeeded to both his earldoms; but having joined with Duke Robert against King Henry I., they were defeated at Tenchebrai in 1105, and taken prisoners. The confinement of both lasted till their deaths, but Earl William suffered in addition the cruel deprivation of his eyes.

Some authors state that he died childless, but others describe him as the ancestor of William Fitz-Aldelm and Hubert de Burgh, who will be noticed respectively under the reigns of Richard I. and Henry III.[1]

SALISBURY, BISHOPS OF. *See* HERMAN; OSMUND.
SHERBORNE, BISHOP OF. *See* HERMAN.
SURREY, EARL OF. *See* W. DE WARENNE.
THETFORD, BISHOPS OF. *See* ARFASTUS; W. WELSON.
TUNBRIDGE, RICHARD DE. *See* R. FITZ-GILBERT.

WARENNE, WILLIAM DE, EARL WARENNE, AND EARL OF SURREY.

JUST. ANGL. 1073.

THE Norman family of Warenne was ennobled long before the conquest of England, bearing the name of St. Martin before the earldom of Warenne was conferred upon them. William de Warenne was distantly related to the Conqueror, his aunt Gunnora having been that prince's great-grandmother. This connection was further cemented by his subsequent marriage with Gundreda, one of the daughters

[1] Will. Malm. Gesta. 456.; Dugdale's Baronage, i. 24.; Biographie Universelle (Hubert de Burgh); Burke's Extinct Peerage; Hutchins's Dorsetsh. i. 13.

of King William and Matilda. An attempt has lately been made to prove that she was the daughter of Matilda by a former marriage with Gerbodo, an avoué of St. Bertin, at St. Omer[1]; but the hypothesis is fully and satisfactorily overturned by an able paper in the Archæologia.[2]

Accompanying Duke William in his enterprise against England, he was entrusted with a command at the battle of Hastings, and greatly contributed to its successful result. In reward, the lavish Conqueror conferred upon him lordships and lands in almost every part of the kingdom; his share of the spoil amounting to 298 manors. He built castles at Reigate in Surrey, Castle Acre in Norfolk, Conigsburgh in Yorkshire, and Lewes in Sussex; at the latter of which he fixed his residence.

When the king left England in 1073, he and Richard Fitz-Gilbert or De Benefacta were appointed chief justiciaries of the kingdom. Their government was principally distinguished by overcoming the rebellion raised by the Earls of Hereford and Norfolk; but they disgraced their victory by cruelly ordering the right feet of their prisoners to be amputated; a barbarous practice, for which they had the example of the king in some of his Norman wars.

On the death of the Conqueror, William de Warenne assisted his second son, William, to mount the throne; and was in such favour with that monarch, that he was created Earl of Surrey at his coronation. He did not long survive this honour, dying in the following June. The decease of his wife had occurred in May, 1085; and the remains of both were interred in the chapter-house of the priory of Lewes, which they had founded for monks of the Cluniac order, whom they first introduced into England. He also founded

[1] Archæol. Journ. iii. 1. 26.

[2] Archæologia, xxxii. 108.

a monastery at Castle Acre, in Norfolk; and endowed both of them most magnificently; besides making liberal benefactions to several religious houses.

He left two sons and three daughters. The two earldoms devolved on his eldest son William; whose son, William, dying in 1148 without male issue, that of Surrey passed with his daughter Isabel to her husband, Hameline Plantagenet, and ultimately, through sisters, first to the Fitz-Alans, and afterwards to the Howards, Dukes of Norfolk, in which title it is now merged.[1]

WELSON, WILLIAM; or GALSAGUS; or DE BELLOFAGO; BISHOP OF THETFORD.

CHANCELLOR, 1083.

WILLIAM WELSON is known also by the names of Galsagus and De Bellofago, with their varieties of Beaufo and Belfagus. According to Thynne and Philipot, he was of a noble house, and was chaplain to William I.

The period when he held the chancellorship was probably between 1083–1085, after Maurice. There is a charter[2] confirming the grant of Yvo Tailboys of the manor of Spalding to St. Nicholas of Angiers, to which the attestation of "William the Chancellor" is appended, which must have been dated after 1080, as another of the witnesses is William, Bishop of Durham, who was not elected till November in that year. At Christmas, 1085, the bishoprick of Thetford was given to Wiliam Welson, upon the death of Arfastus.

Although it does not appear that he did anything towards adorning the church at Thetford, he was one of the most

[1] Dugdale's Baronage, i. 73.; Horsfield's Lewes, i. 116.; Turner, Lingard, Rapin.

[2] Monast. iii. 216.

munificent benefactors of the see, by enriching it with many of the manors and other lands which he received from the royal bounty; the extent of which is a plain evidence of the esteem in which the king held him.[1]

He died about 1091, leaving his family very rich; and so it continued for many years at Herling and elsewhere in Norfolk.

Two sons of his are mentioned: one, Richard de Bellofago, who was Archdeacon of Norwich in 1107; and the other, Ralph de Bellofago, who was Sheriff of Norfolk and Suffolk in the reign of Henry I.[2]

WINCHESTER, BISHOP OF. *See* WILLIAM GIFFARD.

[1] A full account of these is given in Bloomfield's Norwich, ii. 531.

[2] Godwin de Præsul. 426.; Bloomfield's Norwich, ii. 465. 638.

WILLIAM II.

Reigned 12 years, 10 months, and 7 days; from September 26, 1087, to August 2, 1100.

SURVEY OF THE REIGN.

THE most remarkable event in the annals of law which occurred in this reign, was the erection of the Great Hall at Westminster. This magnificent edifice has survived the palace of which it then formed a part, and, to whatever use it may in future be applied, must ever be especially venerated as the arena of judicial contests, the cradle of our legal worthies, and the honoured spot which has given to the law itself "a local habitation and a name."

The associations which arise at the mention of "Westminster Hall" are not linked so much with the parliaments that have assembled in it, or the solemn festivals which it has witnessed, as with the high legal purposes to which it has for centuries been devoted; recalling to the mind the glorious succession of venerable men who have administered justice within its walls, and of eminent advocates who have made its roof resound with their eloquence.

Connected as it is with every judicial reminiscence, hallowed as it must be in the minds of those devoted to legal studies, it is not surprising that the recent attempts in parliament to remove the courts to another locality, and apply the ancient building to different objects, should have been looked on by many as a species of sacrilege and profanation of the *religio loci*. These feelings of reverence, however,

may be indulged beyond reasonable bounds; and, while the ties of association are not to be harshly or inconsiderately broken, they ought not to be allowed to interrupt the progress of improvement, nor to prevent those changes which may be called for by the necessities of the times and the convenience of the public.

When the persons most interested in the question—the practitioners and the suitors — are all but unanimous in their demand for the removal, it is time to listen to their complaints, and to consider whether the sentiment which gives a sort of sacredness to the spot is an equivalent for the benefits which it is believed would be derived from the change. It has been alleged that a more central position is rendered indispensable in order to meet the alteration of circumstances, the increase of litigation, and the additional number of courts and of judges. The question has not yet had a full discussion, nor will it be fairly debated till other than legal members of the legislature apply their minds to its consideration.

Easter, Whitsuntide, and Christmas, in this reign, as in the last, were the periods at which the king held his courts. The places named are London, Gloucester, Winchester, Windsor, and Salisbury.

At that which he held at Christmas, 1096, an instance of the trial by battle occurs, in which Geoffrey Bainard accused William, Earl of Eu, a near relation of the king, of a treasonable conspiracy, and vanquished him in single combat. This being deemed sufficient proof of the earl's guilt, he was punished with the loss of his eyes and manhood.

It is curious that this judgment was pronounced "in Octabis Epiphaniæ,"[1] being the day on which, according to the constitutions of Edward the Confessor, confirmed by William the Conqueror, Hilary Term then began.

[1] Madox's Exch. i. 8.

At Whitsuntide, in 1099, the king held his court for the first time in the new hall at Westminster; so that nearly seven centuries and a half have elapsed since that sacred spot was first applied to legal uses.

It may be questioned whether the office of chief justiciary was as yet completely established in the distinct form it afterwards assumed. The title is never used in any of the charters of this reign that are extant: and the manner in which it is sometimes applied by the historians to the three individuals who are supposed to have filled the office under William II., connecting it as they do with other and varied titles to the same persons, tends to raise a suspicion that it had not yet acquired that precise character which would leave no doubt of the designation to be given to its possessor.

An advance in the progress towards its ultimate establishment is however evident: for, while the appointment in the reign of the Conqueror was more in the nature of a regent, acting only in the absence of the sovereign, under William II. it is manifest that its functions were performed during the king's residence in England. At the same time, it will appear probable that during some part of the reign no person was invested with the office.

The first who is named is ODO, Bishop of Bayeux, the uterine brother of the late king. Restored to liberty at the death of the Conqueror, he returned to England, and at the king's first court, held at Christmas, 1087, he is described as "Justiciarius et princeps totius Angliæ." His administration must have been very short, for in the following Easter he was in arms against the king; and one cause of his discontent is stated to be that he had no longer the power he formerly exercised, and that the counsels of Lanfranc prevailed.

The next occupant of the office was WILLIAM DE CARILEFO, Bishop of Durham, whose ascendancy, if Odo ever held it, must have been shorter still. It would appear, how-

ever, from the language of William of Malmesbury, when speaking of Odo's jealousy, "nam Willelmo Dunelmensi episcopo commendata erat administratio rerum publicarum," that he was in the office before Odo's return. Roger de Wendover expressly says of him, "quem rex Justitiarium fecerat." At whatever period he entered the office, he deserted it by joining Odo's conspiracy in the spring of 1088, and soon afterwards shared in his defeat and banishment.

No new name appears till after the death of Archbishop Lanfranc, which occurred in June, 1089; so that there was clearly no occupant of the office for a year. How long beyond this period it remained vacant, if ever filled, is uncertain.

It was not till after Lanfranc's death that RANULPH FLAMBARD, who is the third on the usual list, insinuated himself into the confidence of King William. His progress, it may be presumed, was gradual; and as his name, with the simple designation of "the Chaplain," and *following* that of "William the Chancellor," appears as witness to a charter granted between 1093 and 1098, it is certain that at the prior date at least he held no such prominent position: and not till after William Giffard was re-appointed to the chancellorship. The titles given to him by Henry of Huntingdon and Roger de Hoveden are, "Placitator et Exactor totius Angliæ;" and by Roger de Wendover, "Placitator et Procurator Regis." The only author who calls him "Justiciarius" is Ordericus Vitalis, who diminishes the significancy of the title by the additional designation of "Summus regiarum procurator opum." Whatever was his office, he held it to the end of the reign, in the last year of which he received the bishoprick of Durham.

Dugdale, in his Chronica Series, names only one chancellor in this reign; viz. Robert Bloet. Different authorities, however, mention others; the first of whom is William

Giffard, already noticed as the last chancellor of William the Conqueror.

Although there are no charters extant which fix positively who was chancellor in 1087, 1088, or 1089, it seems most probable that WILLIAM GIFFARD was continued in the office during these first three years. There are several charters bearing his name as a witness, which, without any certain evidence of their date, may well have been granted during that period [1]: and there is one, which must have been dated between 1088 and 1090, showing that Robert Bloet had not yet attained the office.[2]

In 3 William II., about July or August, 1090, ROBERT BLOET was certainly chancellor [3]; and also in 1091 [4]: and he probably did not resign the seal until he was raised to the bishoprick of Lincoln in 1093. After that event there is no charter with his name as chancellor.

GALDRIC, not Baldric, as Dugdale calls him, was chancellor *after* Bloet's elevation to the episcopal bench. An undated charter, to which his name is attached as a witness, giving the church of Andover to the abbey of St. Florentius, is quoted by Dugdale as proving that he was chancellor to William I.: but the simple fact, that Bloet as Bishop of Lincoln is the first witness to it, is sufficient evidence that it was granted by William II.[5] May not this Galdric be the same individual who, ten years later, was

[1] Dugdale's Monast. (1846), ii. 65.; iii. 15. 217.
[2] Ibid. i. 241.
[3] Ibid. vi. 1271.
[4] Ibid. vi. 1295.
[5] See *antè*, p. 19.; Dugdale's Monast. (1846), vi. 992. Lord Campbell, i. p. 43., who has evidently not seen the Charter, from his calling it one "to the Monks of St. Florentius *of Andover*," adopts Dugdale's name of Baldric. It is therefore with much reluctance that I feel compelled to substitute that of Galdric; the more especially as the fanciful etymology on which his lordship has ventured is thus annihilated, and the poetical quotations *from Johnson's Dictionary* which he has introduced as proofs of it, are rendered no longer applicable. A more probable definition of the word Baldrick will be found in Richardson's Dictionary.

chancellor to Henry I. under the name of Waldric, the letters G and W being not uncommonly used interchangeably in Christian names?

The last witness to the same charter is Drogo, to whose name are attached the words "qui custodiebat sigillum." It is difficult to say what was his particular office, as no prior mention occurs of any such appointment as keeper, either independent of, or in connection with, the chancellor.

It may be presumed that Galdric followed Bloet in the office, because, during the latter part of the reign, there is little difficulty in showing that WILLIAM GIFFARD was restored to the chancellorship, and probably continued in it without interruption. From various charters, in which he is so described, almost a continuous holding may be traced. There is, for instance, one which, from internal evidence, must have been granted between 1093 and 1098[1]; another between 1095 and 1100[2]; a third in 1099 or 1100[3]; and a fourth at Easter, 1100.[4] William II. died in August, 1100, and William Giffard continued chancellor under his successor, Henry I., by whom he was made Bishop of Winchester.

The name of no other chancellor occurs in any charter of this reign: but RANULPH FLAMBARD, afterwards Bishop of Durham, is introduced into Spelman's List. That author, who generally, though not in this instance, follows Thynne and Philipot, refers to William of Malmesbury and Bishop Godwin, neither of whom, however, say anything that will bear that interpretation. Lord Campbell, the last authority, repeats the name[5], but says nothing to justify its adoption: unless the addition of the minute detail of Flambard's amazing and terrifying his enemies by appearing at Court "*with*

[1] Dugdale's Monasticon (1846), i. 164.
[2] Ibid. i. 241.
[3] Ibid. i. 241.
[4] Ibid. ii. 18.
[5] Lord Campbell's Chancellors, i. 47.

the great seal in his hand,"[1] after he had escaped from their plot, may be so considered. If his lordship had kindly referred to the author from whom he culled this interesting incident, which, it must be confessed, has more the appearance of modern colouring than of antiquarian truth, some reliance might have been placed upon his subsequent assertion, that "at all events he appears to have held the great seal till the end of this reign."

There is, however, no evidence that he held the great seal at all; and the charters that have been already cited distinctly prove that during the last years of the reign it was in the possession of William Giffard. Ranulph Flambard's name must, therefore, be excluded from the list of chancellors.

TABLE OF CHANCELLORS AND CHIEF JUSTICIARIES.

A.R.	A.D.	Chancellors.	Chief Justiciaries.
I.	1087, Sept. 26	William Giffard, afterwards Bishop of Winchester	Odo, Bishop of Bayeux, and Earl of Kent.
	1088		William de Carilefo, Bishop of Durham.
III.	1090, July	Robert Bloet, afterwards Bishop of Lincoln	
VI.	1093	Galdric	
		? Drogo, Keeper with him	
VII.	1094	William Giffard again	
			Ranulph Flambard, afterwards Bishop of Durham.

The clergy still continued not only to fill the legal offices, but for the most part to engross the practice of the courts. William of Malmesbury describes Ranulph Flambard as "invictus causidicus," and complains bitterly that there was then "nullus clericus nisi causidicus."

[1] Lord Campbell in telling the story, has copied the language of Lingard, with the *slight* addition of the words in italics.

BIOGRAPHICAL NOTICES

OF

THE JUDGES UNDER THE REIGN OF WILLIAM II.

BAYEUX, BISHOP OF. *See* ODO.

BLOET, ROBERT, BISHOP OF LINCOLN.
CHANCELLOR, 1090.
See under the reign of Henry I.

CARILEFO, WILLIAM DE, BISHOP OF DURHAM.

JUST. ANGL. 1088.

WILLIAM DE CARILEFO, a native of Bayeux, was so named from having been a monk of St. Carilefo, from which he was advanced to be Abbot of St. Vincentius; both being monasteries in the province of Maine: the former having a cell at Covenham in Lincolnshire, and the latter one at Abergavenny in Montgomeryshire.

He was elected Bishop of Durham on November 10, 1080, in the place of Walcherus, who was slain about six months before. It appears by his charter, to which the bishops and barons in council with William the Conqueror set their hands and seals in 1082, that the church of Durham had been greatly neglected, and that, by the barbarity of sacrilegious persons, neither monks nor canons were left there. The bishop thereupon expresses his determination to bring the monks of Weremouth and Jarrow, and that the liberties of the church, with the lands (a particular specification of which is inserted), shall be preserved to it for ever;

and he concludes the instrument with a terrific anathema against its violators, reserving them "to be punished with everlasting fire, with the devil and his angels." The present edifice was commenced by him, and affords sufficient proof of the munificent expenditure, not only of this bishop, but of his successor, Ranulph Flambard, in its structure.

William of Malmesbury, who describes him as a man of a ready tongue, and very powerful in his time, says, that he was appointed by William Rufus to administer the public affairs in 1088; and Roger de Wendover distinctly mentions that he was made "Justiciarius." His tenure of that office, however, must have been very short; for Odo, Bishop of Bayeux, is described as holding it at the previous Christmas, and Carilefo, in the spring, had joined that prelate in the confederacy to depose King William, and raise his brother Robert to the throne.

The insurrection being quelled by the defeat of Odo, the king proceeded to Durham to chastise the bishop, whom he obliged to surrender and to quit the kingdom. After a banishment of two or three years he was permitted to return, when he endeavoured to ingratiate himself with the king by taking part against Archbishop Anselm; not, however, without a suspicion of being influenced by the hope to succeed to the archbishoprick.

In this object he not only failed, but was soon after summoned to the court to meet certain charges made against himself. His plea of illness was disregarded, the king swearing it was a mere pretence. He was therefore compelled to obey, when the event proved the sincerity of his excuse. He reached the Court of Windsor with difficulty, and, surviving only a few days, died there on January 2, 1095. His remains were removed to Durham, where they were deposited in his cathedral.

He is described as endowed with the highest mental gifts,

with wit, erudition, eloquence, and subtlety, and as second to none in the conduct of business; but with unbridled ambition, and wanting faith and integrity. To his see, however, he was a great benefactor, increasing its riches, asserting its liberties, and founding its church.[1]

DROGO.

? KEEPER, 1093.

THE only notice of this person is contained in a charter of William II.[2] cited in Pat. 8 Edward II., p. 2, m. 1, and in Pat. 1 Henry IV. p. 6, m. 23, granting the church of Andover to the monks of St. Florentius; the last witness to which is "Drogo, qui custodiebat sigillum." Galdric (under whose name this charter is more particularly noticed) was chancellor at the time, being the second witness to it; so that it is difficult to explain the nature of the office held by Drogo; unless, if the "sigillum" mentioned was the royal seal, he was merely the officer attendant on the chancellor, whose duty it was to carry it. This is the less unlikely, from the fact that no previous evidence exists of any such appointment as keeper of the seal, either independent of or in connection with the chancellor, and from his position at the end of the list of witnesses. The charter has no date, but was probably granted in or soon after 1093.

DURHAM, BISHOPS OF. *See* WILLIAM DE CARILEFO, and RANULPH FLAMBARD.

[1] Dugdale's Monast. (1846), i. 224. &c.; Godwin de Præsul. 731.; Angl. Sac. i. 704.; Will. Malmes. Gesta Regum, 486. &c.; Roger de Wendover, ii. 32. 34.

[2] Dugdale's Monast. (1846), vi. 992.

FLAMBARD, RANULPH, Bishop of Durham.

? Just. Angl. 10 . . .

This extraordinary man was a Norman of the lowest extraction, whose mother had the reputation of being a witch, and of conversing with demons. He followed the court of the Conqueror into England, and having entered into holy orders, obtained from that prince the church of Godalming in Surrey. According to Domesday Book, he had three tenements which King William held in Gildford, with sac and soc there, and which, belonging to the church of Godalming, were given by Henry I. to found a canonry in Salisbury Cathedral. He next received the prebend of Sutton and Buckingham in the church of Lincoln, and the deanery of Christchurch in Hampshire; and became chaplain to Maurice, Bishop of London. By the favour of that prelate the prebend of Totenhall, in the church of St. Paul, was added to his preferments; but, not satisfied with these pluralities, he demanded the vacant deanery of that cathedral from his patron, and, indignant at his refusal, left his service.

By what means he passed into the household of William Rufus does not appear; but it is not unlikely that he held an office in the chancery under Maurice; and Malmesbury's description of him, as "invictus causidicus," shews he was connected with the courts. He is next found, however, as one of the king's chaplains; and he is a witness with that designation to three charters, granted by William II. at some time between the years 1088 and 1098.[1] The position in which he stands in each of these does not shew that he then occupied any high station.

It was not long, however, before he contrived to ingratiate

[1] Dugdale's Monast. (1846), i. 164. 174. 241.

himself with his sovereign. During the life of Archbishop Lanfranc, the rapacious disposition of Rufus was under some restraint; but after the death of that wise and excellent man, in 1089, his profuseness and extravagance exhausted the treasury. Ranulph soon discovered the character of his royal master, and saw that he could best serve his own ambitious views by flattering the vices and feeding the avarice of the king. Unprincipled himself, he did not hesitate to suggest measures, which, however oppressive to the people, or disreputable to the crown, would produce the desired object of filling the royal coffers. By his instigation, new offences were created for the sake of the fines which followed them; a price was set on crimes by substituting a pecuniary payment for the punishment; the forest laws were loaded with severe penalties; and the impost on the land, so lately established according to the entries in Domesday Book, was disturbed, and rendered more oppressive by a new survey of the kingdom. Not content with this, he drew down upon himself the deepest indignation of the clergy, by suggesting to the king that on the death of any dignitary of the church, whether bishop or abbot, the temporalities devolved to the crown till the vacancy was supplied. The king was not slow in acting upon this advice; and the injurious effect on the ecclesiastical revenues may be easily conceived; since the parties to whom the church lands were entrusted in the interim, having paid largely for their use, and knowing how precarious was their tenure, could not be expected to neglect any means, however detrimental to the property, of making the most of their bargain. This source of profit will readily account for the long periods allowed to elapse between the death of a bishop and the appointment of his successor; and also for the fact, that on the death of the king there were no less than one archbishoprick, four bishopricks, and eleven abbeys vacant.

Flambard[1], as may be supposed, obtained the custody of several of these vacant benefices. In 1088 the abbey of Winchester, in 1089 the archbishoprick of Canterbury, and in 1092 the bishoprick of Lincoln and the abbey of Chertsey, were severally entrusted to him; and by the spoil of their churches and the pressure of their tenants both rich and poor, he did not fail to enrich himself. To these modes of imposition he added another device to supply the royal wants. When any of these vacancies were at last filled, he made a simoniacal contract for the king with the candidate for the clerical honour, compelling him to pay a large sum before he was instituted.

William was conscious that his minister could not escape the unpopularity which would necessarily result from these proceedings: but he looked upon him more favourably on that account, saying, that he was the only man in his dominions who regarded not the hatred of others so that he pleased his master. His approval was manifested by the confidence he reposed on him during the remainder of his reign, and by raising him to high office in the state.

What the precise nature or title of his office was, it is difficult to determine. Dugdale introduces him into his list of chief justiciaries. The only historian who gives him that title is Ordericus Vitalis, whose words are, "Summus regiarum Procurator opum, et Justitiarius factus est." Henry of Huntingdon and Roger de Hoveden style him "Placitator et Exactor totius Angliæ;" by the former of which titles, Madox says, may be meant chief justicier, and by the latter, intendant of the revenue, or treasurer. Roger de Wendover calls him by the names of Placitator and Procurator regis, and William of Malmesbury is altogether silent as to the title that he bore.

[1] The representation, that he acquired the cognomen of Flambard, a devouring torch, from his oppressive exactions, is a fable of the historians, and is at once contradicted by the fact that he is so called in Domesday Book, compiled long before he attained power.

The only authority of any importance who describes him as chancellor is Spelman; but there is evidently no foundation for supposing that he held that office. He refers to Malmesbury, who says nothing like it; and to Godwin, whose language has been palpably misunderstood. That author, after saying, from Malmesbury, that Ranulph became "totius regni Procurator," merely adds this explanation: — "Unde illam omnem authoritatem videtur consequutus, qua *hodie* potiuntur Cancellarius, Thesaurarius, et nescio quot alii."

The office of Chief Justiciary seems scarcely yet to have been completely established; but, by whatever title Ranulph was distinguished, he was clearly the king's *chief* minister. The oppressive nature of his exactions naturally caused frequent complaints against him. They were fruitless, however; for it was not likely that much regard would be paid to remonstrances which could be no otherwise prevented than by desisting from a course the profits of which were so agreeable to the king. The evils under which the kingdom suffered being thus unredressed, the instigator of them became the object of popular indignation, and narrowly escaped the fate that was prepared for him.

Being inveigled, by a pretended message from the Bishop of London, into a boat on the river, he was forced into a ship, and carried out to sea. A storm arising, and his intended murderers quarrelling among themselves, Ranulph took advantage of both, by working upon the fear and gratitude of Gerold, the principal of them, who had formerly been a mariner in his service; and they were prevailed upon to release him, and put him on shore. The terror and amazement of his enemies, when three days afterwards he appeared in his usual place at court, may well be imagined. His appointment to the bishoprick of Durham immediately followed, as if it were in compensation for the danger he had

encountered. Three years and four months had elapsed since the death of William de Carilefo, its last incumbent, and Ranulph's consecration was performed on June 4, 1099. The king, however, benefiting by the lessons his minister had taught, made him feel the effect in his own person, by compelling him to pay one thousand pounds for his advancement.

On the death of William Rufus, which occurred in the following year, one of the first acts of Henry, his successor, was to satisfy the clamours of the people by imprisoning the hated Flambard in the Tower of London, to which he was committed on August 15, 1100. But even in this extremity his good fortune did not desert him. Out of the allowance of two shillings a day which he received for his subsistence (equal to thirty shillings now), with the additional help of his friends, he kept a sumptuous table, and by his affability and his wit captivated his keepers. Encouraging them in their habits of intemperance, he lulled their watchfulness; and on the 4th of the following February, taking advantage of their excess at a feast he had provided, he contrived to escape by means of a rope which his friends had concealed in the bottom of a pitcher of wine; not, however, without cutting his ungloved hands to the bone in the adventure.

He succeeded in obtaining shipping to Normandy, where he instigated the Duke Robert to pursue his claim to the English crown, and accompanied him on his invasion. By the settlement which the policy of Henry then effected, Ranulph, on the retirement of the Duke, was permitted to return to his bishoprick, and obtained a charter restoring all its immunities.

From this time, it does not appear that he interfered further in politics; though Dugdale, on the authority of

Mathew Paris, places him in the list of treasurers to Henry I.

The completion of his cathedral, the erection of Norham Castle, the fortification of the walls of Durham, and numerous other works, among which were the endowment of the College of Christchurch, where he had been dean, and the foundation of the priory of Mottisford, near Lincoln, not only are ample proofs of his munificence, but seem sufficient occupation for the remainder of his life. He filled the see rather more than twenty-nine years, and died on September 5, 1128.

The character of Flambard may be collected from the incidents of his life. There can be no doubt that he was an able, artful, and uncompromising minister; that he had considerable eloquence and ready wit; and that he was convivial in his habits and generous in his expenditure. It is evident, also, that he was not free from the vices of the time; that he was ambitious, crafty, prodigal, and rapacious: but some abatement should be made from the unfavourable colouring with which he is painted by the historians, who, writing near his time, and being mostly ecclesiastics, would look with a jaundiced eye on one whom they considered to be the adviser of measures oppressive to the Church.

He is stated to have had a son, named Elias, who succeeded him in his prebend in Lincoln Cathedral; and a brother, named Geoffrey, whose daughter is mentioned in the Great Roll of 31 Henry I. as paying 10*l.* of the money of the Bishop of Durham.[1]

[1] Roger de Wendover, ii. 157. 165. 185. 193. 209.; Will. Malm. 497. 619, 620.; Angl. Sacr. 295. &c.; Godwin de Præsul. 732.; Madox's Exch. i. 32. 78.; Manning and Bray's Surrey, i. 643.; Hunter's Edition of the Great Roll, 31 Henry I., 79.; Turner and Lingard's Hist. of England.

GALDRIC.

CHANCELLOR, 1093.

IN Dugdale's Chronica Series, the name of this chancellor, very probably by a misprint, is erroneously called Baldricus; and he is, as erroneously, placed in the reign of William I., on the authority of a charter granting the church of St. Mary of Andover to the abbey of St. Florence, at Salmur, in Anjou.

The charter, however, was evidently granted by William II., though the gift of the church had been previously made by the Conqueror. That gift is recited in these words:—"Noscant qui sunt et futuri sunt, quod Willielmus rex, qui armis Anglicam terram *sibi subjugavit, dedit* sancto Florentio ecclesiam de Andeura,"[1] &c.,—language which the Conqueror himself never could have used, but which would be very natural in his son. But the date is placed beyond the possibility of doubt by the fact that the first witness to the charter is Robert, Bishop of Lincoln. Now, the first bishop of that see who bore the name of Robert was Robert Bloet; and he was not raised to the bishoprick till some years after the accession of William II.

"Galdricus Cancellarius" is the second witness to this charter; and he probably was the immediate successor of Robert Bloet as chancellor, on his resigning the seal when he was appointed bishop in 1093; because there is sufficient testimony that William Giffard was restored to the office soon afterwards, and retained it without interruption to the end of the reign.

In the reign of Henry I., there was a chancellor of the name of Waldric; and, considering that the letters G and W were often indiscriminately used in spelling Christian

[1] Dugdale's Monast. (1846), vi. 992.

names, as Gualterus, Walterus; Gulielmus, Willielmus; — and also that there is only an interval of ten years between them, it does not appear improbable that Waldric was the same man. There is not, however, sufficient evidence to warrant an united notice.

Galdric was one of the royal chaplains, and accompanied King Henry in 1106 to Normandy, where he distinguished himself in the battle of Tenchebrai, fought on September 28, by taking Duke Robert prisoner. He was rewarded for his services with the bishoprick of Llandaff; but, incurring the hatred of the citizens, who were probably disgusted at the king's forcing a bishop upon them, he was murdered in a field with five of his prebendaries. [1]

GIFFARD, WILLIAM, afterwards BISHOP OF WINCHESTER.
CHANCELLOR, 1087.

See under the reign of William I. and Henry I.

LINCOLN, BISHOP OF. *See* ROBERT BLOET.

ODO, BISHOP OF BAYEUX, and EARL OF KENT.
JUST. ANGL. 1087.
See under the Reign of William I.

ODO was a younger son of Arlotta, the mother of William the Conqueror, by Herluin de Conteville, whom she married after her connection with Robert Duke of Normandy. Herluin was in but moderate circumstances till William succeeded to the dukedom; after which, the confiscated estates of the rebellious nobles enabled the Duke to enrich his uterine brothers. Of the elder of them, Robert Earl of Moreton, an account has already been given.[2] Odo, the younger, obtained the earldom of Eu on the banishment of William, its former earl, who had opposed the duke's succes-

[1] Lingard's England, ii. 115., who quotes Orderic, 821. [2] See p. 46.

sion: to which was added, in 1049, the valuable bishoprick of Bayeux. His disposition, however, exhibiting more of the soldier than the priest, he was employed to lead part of his brother's forces against the King of France, to whose defeat he is said to have greatly contributed. In William's enterprise against England, also, he not only accompanied him, but contributed a supply of forty ships.

Forbidden by his clerical character from bearing offensive arms, he is represented in the tapestry of Bayeux on horseback and in complete armour, but without any sword. He bears a staff only; and the superscription "Hic Odo Eps baculum tenens confortat," is meant to intimate that his peculiar duty was to encourage the soldiers. After the battle, the castle of Dover and the whole county of Kent were committed to his care.

Early in 1067, King William, returning to his Norman dominions, left Odo and William Fitz-Osberne regents and justiciaries of England; Kent, of which he was then created earl, being particularly placed under Odo's care. The conduct of the viceroys was harsh and rapacious, occasioning many insurrections. These, however, were quickly suppressed; and the impunity which the regents enjoyed on the king's return, excited some suspicion that their severe proceedings were not altogether without his authority. After Fitz-Osberne's death Odo was still continued regent, or, as Malmesbury calls him, "vice dominus," on another visit of the King to Normandy, in 1073, to arrest the progress of Philip of France; and his energy and address were exhibited in assisting Richard de Benefacta and William de Warenne, the chief justiciaries, in crushing the conspiracy of Roger Fitz-Osberne, Earl of Hereford (the son of his former coadjutor in the government), and Ralph de Guader, Earl of Suffolk and Norfolk.

The king, with his accustomed munificence, not only

rewarded Odo's services with the honours already mentioned, which raised him to the second rank in the kingdom, but by more substantial gifts enabled him splendidly to support it. His share in the distribution of crown lands amounted to 184 lordships in Kent alone, with above 250 in other counties. With the immense riches thus amassed, he aspired to a still higher dignity, and conceived the mad project of purchasing the papacy. He bought a magnificent palace at Rome, and engaging many of the English nobles in the enterprise, he prepared a number of ships for the conveyance of them and his treasures there, to await the death of the reigning pope, Gregory VII. Taking advantage of the king's absence in Normandy in 1079, he had collected his friends, and was ready to sail from the Isle of Wight, when, adverse winds delaying the expedition, the king received intelligence of his project, and hastening to the scene, ordered the ambitious prelate to be arrested. The fear, however, of incurring ecclesiastical censure, by laying violent hands on a bishop, restrained his officers from obeying the royal commands, so that the king was reduced to the necessity of being his own officer, and made the arrest himself. Odo claimed the privilege of his order, and appealed to the pope; but William was too determined in his purpose to desist, and on the suggestion of Lanfranc, Archbishop of Canterbury, answered, "I do not arrest the clergyman or the bishop, but my own earl, whom by my own will I made governor of my kingdom, and from whom I require an account of his stewardship." Odo was accordingly committed to safe custody in the castle of Rouen, where he remained a prisoner till the end of his brother's reign: and all his property was confiscated to the king's use.

Even on his death-bed, William could scarcely conquer his resentment against his ungrateful brother; and in the first instance excepted him from the general liberation which he

then commanded of all persons in confinement. By the importunity of his nobles, however, he was at last induced, reluctantly, to consent to his enlargement; but not without expressing surprise at their intercession, and prophecying that new troubles would arise from the release of so restless a disturber.

On the Conqueror's death, in September, 1087, Odo returned to England, and was restored to his earldom of Kent, and the vast possessions which he had forfeited. He was present at the Court which William Rufus held at the following Christmas, on which occasion he is described as "Justiciarius et princeps totius Angliæ."

Whatever friendship the king might profess for him at this time, it is probable that it did not last long. Odo soon found that he no longer possessed the influence he had formerly exercised, and that the counsels of Lanfranc prevailed. Instigated by disappointment and jealousy, he excited the Norman barons to join in raising Robert, the king's elder brother, to the English throne. A conspiracy was formed, and by the following Easter the standard of rebellion was raised in various counties. William, however, wisely attacked Odo, the principal insurgent, at Pevensey, where he had retired to await the arrival of Robert, and after seven weeks' siege compelled him to surrender; granting him his life and liberty on condition that he would deliver up the castle of Rochester and leave England for ever. On being taken to Rochester for this purpose, Eustace, Earl of Boulogne, to whom he had entrusted its command, pretended he was a traitor, and took him and his guard prisoners; whereupon William, justly indignant, made a vigorous attack on the castle, which, after an obstinate defence, he took; and though the lives of the garrison were spared, Odo was compelled to evacuate the place amid the taunts of the conquerors. In the vexation of the moment he could not restrain his

threats of revenge; but no opportunity was afforded him of carrying them into execution.

Retiring to Normandy, he assisted Robert in the management of his dukedom; and, according to some writers, accompanied him to Jerusalem, and was killed at the siege of Antioch. According to others, he died and was buried at Palermo, in his way to Rome. The event, wherever it took place, occurred in the year 1096.

His career affords the best evidence that the church was not the profession he should have selected. His talents and his tendencies were of a military character, and he was formed to shine in the active duties of the field. Energetic in counsel, he was daring and prompt in the execution of his conceptions. Although ambitious and worldly, and making riches and power the principal objects of his pursuit, he was at the same time bountiful to the poor, and an encourager of learning. He expended his splendid revenue with a liberal hand; spent large sums in the erection of his cathedral, and in beautifying his episcopal city. Even in the contradictory accounts of the historians, some of whom were his contemporaries, enough is shown to prove that, if he had some vices, there were many virtues to counterbalance them.[1]

[1] Dugdale's Orig. Jurid. 20., and Chron. Series; Dugdale's Baron. i. 22.; Madox's Exch. i. 8.; Hutchins's Dorsetsh. i. 11.; Will. Malmesb. Gesta Regum, 456. &c.; Roger de Wendover, ii. 20. &c.; Rapin, Daniel, Turner, Lingard, &c.

HENRY I.

Reigned 35 years, 3 months, and 27 days; from August 5, 1100, to December 1, 1135.

SURVEY OF THE REIGN.

THE charter which King Henry granted on the day of his coronation made no alteration in the constitution of the Curia Regis, nor in the officers who acted in it: nor was any change introduced during this reign in the administration of justice, except that the establishment of Itinera or circuits through the different counties, for the purpose of hearing and determining such criminal causes as arose therein, is supposed to have taken place about this period. Henry is stated to have adopted them in imitation of a similar institution, introduced about the same time into France by Louis le Gros.

The great and increasing extent of the business of the Curia Regis, both in its ordinary department and in that of the Exchequer, rendered some such arrangement necessary; and the judges entrusted with the duty were invested with all the authority and power of the superior court, to which, however, there was an appeal from their decisions.

The Rolls of the Exchequer commence in this reign, to the great assistance of the legal antiquary. The absence of any for the two preceding reigns tends to corroborate the opinion that this court was first established by Henry. Unfortunately, however, only one of his rolls has been preserved, and none remain of the reign of Stephen; although from the first institution of the Exchequer one was probably formed for each year. To the confusion of the kingdom, the destruction

of Stephen's rolls may be perhaps attributed; but the excuse cannot apply to some others of this reign, which certainly existed in the reign of Henry III., Alexander Swereford, who lived at that time, having inspected them. Their loss can only be accounted for by the carelessness of those in whose custody they were deposited. The roll also of the first year of Henry II. is missing; but from the second year of that reign to the present time the series is complete, with the exception of the rolls of 1 Henry III. and 7 Henry IV.

The history of this roll of Henry I. is so peculiar, that, as it is one of the most ancient records of the kingdom, some account of it will probably be interesting.

These rolls are sometimes called the great rolls of the Exchequer, and sometimes the pipe rolls. They contain the accounts of the king's revenue year by year, as they are made up with the king's officers in the Exchequer by the sheriffs and others, each of whom states the debts due to the crown in the county or lordship of which he has the custody, the sum he has received in respect of those debts, and the payments he has made on account of the royal expenditure to persons whose claims have been allowed. A separate roll is appropriated to each county, or to two counties where they are united under one sheriff; and they are all then joined together in one great roll or bundle.

This, the earliest roll, consists of sixteen smaller rolls of two membranes each, written mostly on both sides. But it is believed, from the omission of the accounts of some of the counties, that several of the smaller rolls have been lost.

It is a curious fact, and not much to the credit of the knowledge of former officers of the department, or of the diligence of early investigators, that the date of this roll has only now, after a lapse of seven hundred years, been correctly ascertained. It has been attributed at various times to no less than three several reigns, and four different years.

1. In the first instance, it was appropriated to the first year of Henry II., and that date is actually indorsed on one of the sheets. This was a somewhat natural mistake, made by some ignorant clerk in the office, who, without investigation, presumed that as the following roll was that of 2 Henry II. this must of course belong to the preceding year. A slight comparison, however, with the list of sheriffs recorded in the Red Book of the Exchequer, soon proved that none of them tallied; and from other sources it was known that several of those named in the roll were dead at its presumed date.

2. The 5 Stephen was next marked upon it, in the early part of the seventeenth century; Sir Simonds D'Ewes having misconceived one of the entries without a sufficient examination of the rest. That this date is incorrect is evidenced not only by various historical facts in contradiction to its contents, but by the previous death of persons whose existence when the roll was made appears from its entries.

3. In the year 1688, Prynne proved, by internal evidence, that the roll belonged to the reign of Henry I.; and he fixed upon the eighteenth year, principally because it contained an allowance to the sheriffs of London for oil to burn at the Queen's sepulchre; and Henry's first wife, Queen Maude, died, and was buried at Westminster in that year.

Dugdale either was not acquainted with Prynne's argument, or did not consider it conclusive; for, though his Baronage was first published seven years afterwards, in 1675, he invariably refers to the roll as 5 Stephen.

Madox, in a very learned "Disceptatio," published at the end of his valuable History of the Exchequer, adduced many additional facts to demonstrate the correctness of Prynne's appropriation of the roll to the *reign* of Henry I.: but he modestly left to others to decide on the precise *year*.

It is to be lamented that, notwithstanding his own refu-

tation, Madox should, throughout the body of his work, have adopted the incorrect date of 5 Stephen. Care must therefore be taken in referring not only to that work, but to Dugdale's Baronage also, to appropriate to the reign of Henry I. the incidents which on the authority of this roll are placed in that of Stephen; greatly confusing, in many instances, the relation of which they form a part.

4. The roll itself has been now published under the direction of the Record Commission, with a luminous preface (from which the principal part of this account has been taken) by its editor, the Rev. Joseph Hunter, who, by a series of learned and ingenious arguments and illustrations, drawn from an industrious comparison of known facts with various entries on this curious record, conclusively establishes its date to be that of the *thirty-first* year of Henry I.

He shows that the oil for Queen Maude's tomb was annually supplied; that one bishop named was not elected till after the eighteenth year; that another was not elected till the thirtieth year; that a third, mentioned as alive, died in 32 Henry I., and that an account is rendered by an abbot of Abingdon, alive at the beginning of the roll, but who died in that very year, and whose discharge is in consequence subsequently entered, "quia mortuus est;" thus precisely fixing the date. Many other equally curious correspondences are brought forward, which afford honourable testimony to the care, discrimination, and learning with which the able editor has investigated the subject.

The annual accounts are always made up to Michaelmas; so that as Henry's reign began on August 5, the accounts in this roll are principally applicable to the thirtieth year, with only a small part of the thirty-first.

Historians mention that the king held his Court between thirty and forty times when he was in England, and all at the customary periods of Christmas, Easter, and Whitsuntide.

A meeting at Westminster, at Michaelmas, 1102, can scarcely be considered an exception; as, although the king was present, it was rather an ecclesiastical synod held by Archbishop Anselm, "wherein many canons pertaining to religion were made, and several persons were deprived of their pastoral staves and dignity."[1] No court having been held at the same festival in any subsequent year of the reign, it is probable that the precise period of Michaelmas Term had not yet been fixed.

The only alteration of the Terms in this reign is made by Henry's charter, by which, under the title "De observatione temporis Leges faciendi," the Lent vacation, which the law of Edward the Confessor had limited to "Octabis Paschæ," was extended to fifteen days after Easter.

In consequence of other justiciaries being now introduced besides the Justiciarius Angliæ, it will be more convenient in this and the succeeding reigns to give precedence to the consideration of the chancellors.

In the list compiled by Thynne, he enumerates eight chancellors under Henry I., and Philipot adds a ninth. Most of the subsequent writers have followed the lead, and have adopted the series without further investigation. Three or four of them, I believe, never held the office, and the dates and succession of the rest are in several instances given erroneously.

The following catalogue, which is founded solely upon charters and other instruments, and which appropriates almost every year of the reign, is offered as a nearer approach to correctness.

That WILLIAM GIFFARD, who was chancellor at the close of the last reign, was continued in the office at the commencement of this, is shown by his being a witness

[1] Madox's Exch. i. 9.

to a charter to the priory of Lewes[1], which must have been granted between August 5, 1100, the day of Henry's coronation, and November or December following. "Girard *the Bishop*" is one of the witnesses to it, and he was raised from Hereford to the *archbishoprick* of York in one of the latter months. William Giffard was succeeded by

ROGER, who attested two charters to the church of Norwich in September, 1101.[2] He was made Bishop of Salisbury in 1102 or 1103; after which there are two charters, one to Rochester and the other to Abingdon[3], witnessed by him as bishop and chancellor.

WILLIAM GIFFARD was reinstated before March 10, 1103, as he was present in the character of chancellor on that day, when the convention between the king and the Earl of Flanders was executed.[4] He soon after this fell into disgrace for refusing to be consecrated by the Archbishop of York to the bishoprick of Winchester, to which he had been appointed, and was succeeded in his office by

WALDRIC, whose name appears as chancellor to the concord between the abbot of Fescamp and Philip de Braiosa, made at Salisbury on January 13, 1103–4.[5] He is a witness also to four charters, which must have been executed within a year or two of this date.[6]

The name of WALTER has never yet been mentioned as that of one of King Henry's chancellors; and yet there are two charters bearing the attestation of "Walteri Cancellarii;" one dated in 1106, granted to the church of Tewkesbury[7]; and the other to the priory of Thetford, dated at Ramsey, *in transitu regis*, on February 14, without naming the year[8]; but probably signed by the king on his proceeding to Nor-

[1] Dugdale's Monast. (1846), v. 14.
[2] Ibid. iv. 16, 17.
[3] Ibid. i. 164. 521.
[4] Rymer's Fœdera (1816), i. 12.
[5] Dugdale's Monast. vi. 1083.
[6] Ibid. i. 164.; vi. 1106. 1273.
[7] Ibid. ii. 66.
[8] Ibid. v. 149.

mandy in the same year, on the expedition against Duke Robert. There can be very little doubt, however, that these signatures are merely errors of the scribe or the printer, in mis-spelling or misreading the name of Waldric.

If there be any ground for the suggestion ventured under the reign of William II., that the names Galdric and Waldric belong to one individual, some confirmation is shown by the presumption which this last charter affords, that Waldric accompanied the king when he then went into Normandy. Galdric certainly did so, and by his hand Duke Robert was taken prisoner in the following September at the battle of Tenchebrai. He was rewarded with the bishoprick of Llandaff, and was soon afterwards murdered by the citizens of that place. The absence of Waldric's attestation to any subsequent charter adds some weight to the probability.

The next chancellor was RANULPH, who is generally described as entering into office in the year 1116. But the clearest proof is afforded from charters attested by him, that he held the seal as early at least as 8 Henry I. 1107–8, and as late as 1123. The former is the date of the charter to the priory of St. Andrew at Northampton[1], and the latter of that to the priory of Laund in Leicestershire.[2] Other charters give the specific dates of seven of the intervening years: 1109, 1110, 1111, 1115–6, 1117, 1120, 1121–2[3], not, as may be seen, all coming together, but at various distances; and the remaining periods are sufficiently accounted for by numerous other documents which have no dates to distinguish them. Ranulph was killed by a fall from his horse at Christmas, 1123; when

GEOFFREY, generally called Geoffrey Rufus, became chancellor. His name is attached to the charter to Exeter

[1] Dugdale's Monast. v. 191. [2] Ibid. vi. 188.
[3] Ibid. i. 308. 483. 629., ii. 267., iii. 86, vi. 1075. 1180.

Cathedral[1], which was granted in 1124, previous to the death in that year of Teoldus, Bishop of Worcester, as he is one of the witnesses. Godfrey, Bishop of Bath, another witness, was only raised to that see in August, 1123, so that it must have been after that date.

His continuance in office till the end of the reign is evidenced by his attestation to instruments executed, and charters granted, before and in 1127; before and in 1131; in 1132[2]; and in the autumn of 1134[3]; besides numerous others to fill up the intervening dates. He became Bishop of Durham in 1133; and King Henry died in Normandy on December 1, 1135.

It thus appears that, though no record of the actual appointment of any chancellor of this reign is preserved, there are very few years in which we cannot ascertain who was the then chancellor by means of existing documents; and that those years in no instance occur between the retirement or death of one and the succession of another. The few untouched intervals in the time of each of the chancellors might be supplied from numerous undated charters, in which their names are inserted; but the investigation would be as unprofitable as tedious.

The following names, which have been inserted by Thynne, and adopted successively on his authority by Philipot, Spelman, Hardy, and Lord Campbell, but not by Dugdale, must be excluded from the list of the chancellors of this reign for the reasons to be now adduced.

GODFREY, Bishop of Bath; the insertion of whose name is founded solely on Matthew Parker's calling him "*Regni* Cancellarium," when he was consecrated in August, 1123.

[1] Dugdale's Monast. ii. 539.
Ibid. i. 482., ii. 617., iii. 448., iv. 538., v. 121., vi. 240. 1271.; Rymer's Fœd. i. 8.

[3] Madox's Exch. i. 56.

This is an evident misprint or mistake for "*Reginæ* Cancellarium;" as he certainly held the latter office, and is never mentioned as possessing the former; as at the date assigned Ranulph was chancellor; and as the term "Cancellarius Regni" or "Angliæ" was not introduced till long afterwards, that officer being at this period invariably styled "Cancellarius Regis."

HERBERT; the only authority for the mention of whose name in 1104 Thynne acknowledges to be "an anonymall pamphlet in written hand." The absence, however, of any other testimony, and the fact that Waldric was chancellor at the time named, will be sufficient to exclude him.

The next is REGINALD; and Thynne's authority is a passage from Leland's Itinerary, in which he enumerates among the priors and benefactors of the priory of Montacute "one Reginaldus Cancellarius, so namyd, *by likelyhode*, of his office." The "likelyhode" is sorely diminished by the total silence, both historical and documentary, of such a chancellor; and by the fact, that not only kings and queens, but barons and bishops, and even persons of lower degree, had officers with that title. His name therefore, cannot, with any propriety, be admitted.

THOMAS is first introduced by Philipot in addition to Thynne's list; on the authority of a charter to Norwich. On reference to it, however, it is plainly a charter, not of Henry I., but of Henry II., and the chancellor Thomas, who is a witness to it, is Thomas Becket. To that reign, therefore, he must be removed.

RICHARD the chaplain is mentioned by Thynne as keeper of the great seal while Ranulph was chancellor; but in none of the numerous charters of this reign does his name appear with that designation. Malmesbury calls him with more probability "Clericus de Sigillo." He was preferred to the bishoprick of Hereford in 1120.

In the Great Roll of 31 Henry I., of which a description has been already given, is an entry, from which Madox understands, and Lord Campbell asserts, that Geoffrey (afterwards Bishop of Durham) purchased the office of chancellor for the sum of 3006*l.* 13*s.* 4*d.* It is evident that Madox was not aware how long he had held the office at the date of that roll, as he speaks of this sum as a "Fine *then lately* made." What effect, therefore, the fact of Geoffrey having possessed the seal for seven or eight previous years might have had upon his opinion, can only be matter of surmise.

The words are, "Et idem Cancellarius debet MMM et VJ l. et XIII s. et IIIJ d. pro Sigillo." In them, it will be observed, there is nothing about a purchase or a fine; they simply state a debt due from him to the king, for or on account of the seal; without saying when or how it was incurred, or whether it is a whole sum or the balance of a larger amount. Although it is not altogether improbable that Henry may have received some fine for the grant of the Chancery (of which, however, there is no other evidence than this entry affords), it may be worth while, before the record is accepted as positive proof of the fact, to consider whether it is sufficient in itself for that purpose, and how far probabilities operate upon the question.

As all the great rolls previous to this have been long destroyed, the only argument that can be raised upon its contents must be founded on the presumption that the same system then prevailed which is apparent in the subsequent rolls that are extant. Now in these rolls, which contain the accounts of the various crown debtors, the common course is this:—A. B. renders an account, "reddit compotum," of what he owes as sheriff, custos, fermer, &c., for this amerciament, or for that rent or fine, &c. He pays so much by writs from the king, and so much into the treasury; and if his whole receipt is thus exhausted, the entry is "et quietus est;"

but if any balance remains unpaid, then it is "et debet" so much; and this debet is carried over to the roll of the following year. It may be inferred, therefore, that this debt of 3006*l.* 13*s.* 4*d.*, so declared due from Geoffrey the chancellor, is the *balance* of a larger sum of which he had rendered an account in a former year; and this becomes still more likely when its fractional amount is considered.

The very circumstance of its being a fractional amount makes it less probable that it was the precise fine he had agreed to pay (if he did in truth agree to pay anything) for receiving the great seal: and if it was only part of a larger sum, the improbability becomes still greater, when it is recollected that money was then at least fifteen times more valuable than it is now, and that even the balance specified would be worth in present currency about 45,000*l.* The probability, however, is almost entirely destroyed by the fact that Geoffrey was placed in the office in the early part of 1124, nearly eight years before the close of this roll: for it never can be supposed that the king, selling the office at such a rate, even without an immediate necessity for the money, would forego the possession of the tempting prize, and permit it to continue in arrear for so long a period. The only supposition that would give it an appearance of truth would be, that after Geoffrey had held the seals for some years, the king had threatened, without such an advance, to take them away and give them to some other candidate: but of this there is no evidence whatever.

It is observable that no one historian mentions the fact, which is one not likely to have been omitted if it had any foundation. It seems necessary, therefore, to seek for some more reasonable explanation of the entry, than that which is open to so much objection. From the ignorance that must prevail of the precise duties of the chancellor at this period, and of what sums of money passed through his hands on the king's

account, it is difficult to do this with any satisfaction; but it is apparent from the same roll, that (whether as chancellor or independently of the office does not appear) he was the custos of the bishopricks of Coventry and Hereford, and of the abbey of Chertsey, during their respective vacancies; and also of various manors and lands belonging to the king. It is true that he accounts for the sums received by him in respect of these during the year in question: but it may easily be supposed that he had been allowed in previous years to retain part of his various receipts, until by accumulating balances they had arrived at the amount specified. It seems as probable that the words "pro sigillo" might mean what he had received for the king on account of holding the seal, as that they should be interpreted into a fine for the possession of the seal itself.

The bishoprick of Durham, to which Geoffrey eventually was appointed, at the date of this roll had been vacant about three years; and it is known that both Henry and his predecessor extorted money from those whom they raised to the episcopal bench, as the price of their preferment. It is not impossible, nor indeed unlikely, that Geoffrey should have bargained for this rich bishoprick on the payment of a specified sum, too large to produce at once, but of which this might be the balance; and that the words "pro sigillo" were added as a cover to prevent the simoniacal contract from appearing on the record. The loss of the subsequent rolls takes away the power of discovering whether the balance was discharged before his consecration in 1133; so that the subject must remain in the obscurity which now involves it.

If, however, the entry in question is to be considered as a proof that a fine of that or of larger amount was imposed by the king on a grant of the office of chancellor, it would demonstrate that its dignity and importance had been greatly increased, and that its emoluments must be estimated at a

very considerable standard, to be at all proportionate to the assumed price. What those emoluments were cannot now be ascertained: but from the roll referred to, some of the payments and allowances made to the chancellor may be discovered. He was excused the Danegeld and other taxes on all the property he possessed, and there are no less than twenty entries of exemption in fifteen counties where Geoffrey had land. He received fifty marks from a fine imposed on the abbot of Westminster; and he is allowed 10*l.* 15*s.* "in liberatione" for forty-three days in which he was not present at the Exchequer with the other barons; being at the rate of five shillings a day.

This last entry proves that it was his duty to sit with the barons in the Exchequer; and as it was in that department of the Curia Regis that the Common Pleas, or those between private individuals, were heard, his occupations may now have begun to assume a judicial character. There is also another entry, mentioning a writ issued by him charging the sheriff of Leicestershire with a debt due by an inhabitant of that county.

The chief justiciaries of this reign are more difficult to ascertain than the chancellors, from the confused account of the historians, and from the fact that the charters which have been preserved afford no single instance of that title being attached to the name of any witness to them, as is invariably the case with respect to the chancellors.

This omission may excite a doubt whether the office of chief justiciary was even yet established on the footing it subsequently acquired; and this doubt will not be diminished by seeing that not only the chancellor, but the constable, the chamberlain, the dapifer, and other officers attesting those charters, are described by their respective offices; and that the persons whom the historians notice as chief justiciaries are frequent witnesses without the appendage of the title.

The only record that has been mentioned as using that title is the charter of liberties, granted by the king in the first year of his reign; which Roger de Wendover, and Matthew Paris after him, cite, in one place, as being addressed "Hugoni de Boclande, justiciario Angliæ." But each of these authors, in a previous page, gives another copy of the same charter, addressed "Hugoni de Boclande vicecomiti;" and the address in *both* is thus continued: "et omnibus fidelibus suis, tam Francis quam Anglis, in Herefordescire," (in one, but more correctly "Hertfordescire" in the other) "salutem." It can scarcely be doubted, therefore, that the charter was addressed to him as sheriff of Hertfordshire, and that all the other sheriffs had copies similarly addressed to them, in pursuance of the order then issued, and reported by both these authors, that "as many copies should be made as there were counties in England, to be deposited in the abbeys of the different counties as a memorial."

As no other mention is made of Hugh de Bocland in the character of chief justiciary; but, on the contrary, as there is evidence that he was sheriff of London and the united counties of Hertford and Essex; it is impossible upon such vague and contradictory testimony to admit him into the list of those holding that office.

ROBERT BLOET, Bishop of Lincoln, the chancellor of the last reign, is expressly stated by Henry of Huntingdon, in his epistle "De Mundi Contemptu," to have been "Justiciarius totius Angliæ:" and as that writer was one of the bishop's archdeacons, and lived in his family, the assertion, supported as it is by some anecdotes, may be taken as authority in this instance: although the manner in which he invests others with the same dignity may raise a question whether they were entitled to be so distinguished.

The only other person who can be safely asserted to have been invested with the authority attributed to the office of

chief justiciary, (though it does not appear that the title was ever used by him), was ROGER, Bishop of Salisbury, who has been already mentioned as chancellor from 1101 to 1103. Although, when he was then raised to the prelacy, he was in the king's full confidence, and acting as his chief minister, he is said to have refused the highest judicial post, until he had received the sanction of the Pope and Archbishop Anselm. This was not attainable till the return of the latter in 1107; but from that period to the end of the reign, both when the king was in England and when he was absent in Normandy, he retained the ascendancy. Of his excellent management of the Exchequer, whether as its president, or as treasurer (which office he also held in some part of the reign), there is most decisive evidence in the "Dialogus de Scaccario," written by his grand-nephew, Richard Fitz-Nigel, Bishop of London.

There are, however, five other persons who are introduced into Dugdale's list of chief justiciaries of this reign; viz. Ralph Basset, Richard Basset his son, Geoffrey Ridel, Geoffrey de Clinton, and Alberic de Vere; the first four of whom, principally upon the authority of Henry of Huntingdon's epistle "De Mundi Contemptu." In that composition he refers to the great men of whose career in life he had been witness; and writing somewhat loosely from early recollections of having seen them in the exercise of judicial functions, his testimony as to the actual position they held must be received with considerable caution.

Of RALPH BASSET'S occupation of the station of chief justiciary, Ordericus Vitalis certainly gives some evidence; and the fact that he presided at the trials at Huncote in 1124 is not without weight. Still, however, this only proves that he was high in rank among the justiciaries, not that he was distinguished by the chief title. To his name as a witness to charters no such addition ever occurs; and, though he was

dead at the date of the Great Roll, previously alluded to, his pleas of former years which appear in it, are never mentioned in a manner to give the slightest intimation of his holding a higher rank than the other justiciaries, whose pleas are recorded. He is also the last of no less than fifteen attesting witnesses to King Henry's charter to Westminster, which was granted either in 1121 or 1122; the immediate preceding witness being Geoffrey de Clinton.

RICHARD BASSET is also mentioned by Ordericus Vitalis, as having great power under Henry I., "utpote Capitalis Justitia;" not a very decisive expression. In the Roll of 31 Henry I. there is nothing whatever to give a semblance of his having held the office: and his position among the witnesses to the charter granting the office of great chamberlain to Alberic de Vere, the date of which must have been in 1134, the last year of Henry's reign, affords almost positive evidence that he then occupied a much inferior station. There are twelve witnesses to it, of whom, instead of being the first, where such an office would have placed him, he stands last but one. The first of them is Roger, Bishop of Salisbury, who was probably the highest minister at that time, whether his title was chief justiciary or not; then follows the chancellor, and afterwards the constable, both officers who, in the supposed arrangement of precedency, would take rank *after* the chief justiciary.

GEOFFREY RIDEL is inserted as "Justitiarius totius Angliæ" in one copy of Henry of Huntingdon's epistle, but omitted in another. Dugdale states that he succeeded Ralph Basset in the office; and then relates that he was drowned with Prince William, in 1119. The fact, however, that Ralph Basset presided at the trials at Hunloge seems in direct contradiction to this; and the expression of Roger de Wendover, when describing the death of the prince, that "dapiferi, camerarii, pincernæ regis, ac multi proceres cum

eis," perished with him, precludes the idea that any officer of higher rank shared in the calamity.

Henry of Huntingdon is also quoted by Dugdale, as his authority for placing GEOFFREY DE CLINTON among the chief justiciaries; but the passage he refers to is not in the published copy of the Epistle. That he acted as one of the justiciers on various iters, and as a justice of the forests, is proved by the roll of 31 Henry I.; and there is evidence there and in other places, to show that he held the office of treasurer, as well as chamberlain, to the king: but none that he was chief justiciary.

ALBERIC DE VERE is introduced by Dugdale and Spelman among the chief justiciaries; but it is difficult to tell on what authority. He was Portgrave of London about 1125; and the amercement of 550*l.* and four war-horses imposed upon him for the escape of a prisoner, with the fine of 100 marks which he paid to be relieved from the sheriffalty of the united counties of Essex and Herts, in which the occurrence happened, appearing on the roll of 31 Henry I., may be considered as proofs that he was not chief justiciary at its date. His attestation as the second witness, without any addition to his name, of a charter dated about 1133, is additional testimony; and his appointment in 1134 to the office of hereditary great chamberlain, brings him nearly to the end of the reign. The first witness to that charter was Roger, Bishop of Salisbury, who was then, no doubt, the king's chief minister. William of Malmesbury, in speaking of him under King Stephen, calls him "Albericus *quidam* de Vere;" and again, "Albericus Causidicus;" a style he would scarcely have used in speaking of one who held so distinguished an office.

Although some doubts may exist as to the five last-named persons having been chief justiciaries in this reign, it is certain that all of them, except, perhaps, Alberic de Vere, were

employed as justiciers; and that two, or perhaps three, acted together at the same period in the administration of justice.

That there were many justiciers at this time whose names are now lost, there is every probability; and that they formed a distinct order, both in the Curia Regis and in the provinces, there can be little doubt; as the word "Justitiariis" began to be regularly introduced among the persons to whom the charters of this reign were addressed; though the title is never so used in the charters of William I., and very seldom in those of William II.

Although all the great barons were intitled to sit in the Curia Regis, it may easily be supposed that many of them would not interfere with the legal business transacted there. Many would be incapable; many disinclined; some would be drawn off by the frequent wars; and others be occupied in different employments. Thus the duty of hearing and determining pleas would be gradually left to the established officers of the court, and those barons whose education or whose abilities would make them efficient members of it. Geoffrey de Clinton and Alberic de Vere, for instance, were chamberlains, and no doubt regularly attended the court, and acted as justiciaries. The barons who devoted themselves to this duty could not but acquire some experience in its performance, and would by degrees take the lead in the judgments pronounced. The real judicial power would thus be eventually vested in them; and though they could not all be correctly termed chief justiciaries in the sense usually applied to that designation, they might be looked up to as the principal administrators of the law; and the contemporary historians, who probably would not have a precise knowledge of the actual constitution of the court, would, not unnaturally, ascribe to them the highest judicial powers.

A solution of the apparent difficulty may be found by remembering that, as the duties of every department of the

state increased, it became necessary to divide the labour. The political and legal business would be in a great degree kept separate; and the legal again would be subjected to several subdivisions. Roger, Bishop of Salisbury, when he held the highest position in the kingdom, perhaps, as chief justiciary, acted more as the principal minister of the king while present, and as his viceroy while absent, regulating all the state affairs; and not a single record remains of any pleas held before him.

In the legal department there is little doubt that during this reign, and possibly before it, the pleas in civil causes between private individuals, or what were called *Common Pleas*, which were brought into the Curia Regis for decision, were heard before justices specially appointed for the purpose, sitting in that division of the court called the *Exchequer*. It is asserted that even at that day the distinction between the King's Bench and that of the Common Pleas began to exist; not only the two benches, but the judges of assize also, being expressly referred to in a charter of confirmation alleged to have been granted by King Henry to a certain abbot of B., as reported in the Year Book of Edward III., called "The Book of Assizes." (Anno 26, plea 24.) The words of the grant are, "That the abbot should have conuzance of all manner of pleas, so that the justices of *one bench, or of the other*, or justices of assize, should not meddle," &c. The value of this authority, however, may be questioned.

If the chief justiciary were presiding in that branch of the court devoted to the hearing of the King's Pleas, some other justiciary, or officer of the court, or one of the more experienced barons, must necessarily preside over that division in which Common Pleas were heard: and the same course must also have been frequently adopted in the King's Court itself, considering the numerous political duties which would

occasion the absence of the chief justiciary. Thus the two persons usually selected for this purpose would be generally looked up to as being in fact, though not in name, the chief justices of the land: and it is not to be wondered at that monkish historians should so describe them.

In forming the table, therefore, of chief justiciaries of this reign, it seems the safest course not to exclude any who have been named, except Hugh de Bocland, for whom there is not even a well-grounded presumption; but to place a denoting mark against those whose positions are doubtful.

TABLE OF THE CHANCELLORS AND CHIEF JUSTICIARIES, OR JUSTICIARIES.

A.R.	A.D.	Chancellors.	Chief Justiciaries, or Justiciaries. The latter marked ?
I.	1100, Aug. 5.	William Giffard, afterwards Bishop of Winchester	Robert Bloet, Bishop of Lincoln.
II.	1101, Sept.	Roger, afterwards Bishop of Salisbury	
III.	1103, March	William Giffard again	
IV.	1104, Jan.	Waldric	
VIII.	1107-8	Ranulph, ob. 1123	Roger, Bishop of Salisbury.
			? Geoffrey Ridel.
XXIV.	1124	Geoffrey Rufus, afterwards Bishop of Durham	? Ralph Basset.
			? Richard Basset.
			? Geoffrey de Clinton.
			? Alberic de Vere.

Although there is a reasonable presumption for fixing the first appointment of itinerant justices in this reign, there is no positive evidence of the fact. Neither can the precise year of their introduction be ascertained. All that is proved by the ancient roll in the Exchequer is that they had been acting on their circuits previously to the 31 Henry I., the year of its date.

The roll states the amount of the debts due from the persons possessing land in each county, as imposed or settled by the justices itinerant holding pleas therein; in this manner, "Robertus filius Toli debet xxx marcas argenti, de placitis G. de Clinton:" in the counties of Nottingham

and Derby. The names of the judges who acted in most of the counties are thus preserved; but as the accounts of no less than nine counties are either entirely wanting or are imperfectly recorded, the list is by no means complete.

There are nine judges only so named on the roll, of whom three were connected with the Curia Regis, viz.—

Ralph Basset, whose name appears as holding pleas in the six counties of Nottingham, Derby, Wilts, Buckingham, Bedford, and Lincoln.

Geoffrey de Clinton, who acted also in the above-mentioned six counties, and in twelve others: viz. those of York, Hants, Surrey, Essex, Kent, Sussex, Stafford, Leicester, Norfolk, Suffolk, Warwick, and Berks.

Richard Basset, who had the six counties of Hertford, Sussex, Leicester, Norfolk, Suffolk, and Lincoln; in five of which one or other or both of the two preceding also acted.

The remaining six judges were great barons residing in, or in the neighbourhood of, the counties to which they were appointed: viz.—

Walter Espec and Eustace Fitz-John had Yorkshire, Northumberland, Cumberland, and Durham; to the first of which Geoffrey de Clinton was also attached.

Milo of Gloucester and Pain Fitz-John had the counties of Gloucester and Stafford; in the latter of which Geoffrey de Clinton acted also.

Henry de Port was appointed for Kent in connection with Geoffrey de Clinton.

William de Albini-Brito had Lincolnshire, with Geoffrey de Clinton and the two Bassets.

To these must be added the name of—

Richard Fitz-Alured, who fined fifteen marks that he might sit with Ralph Basset to hold the king's pleas in Buckinghamshire.

As all the debts recorded are in separate entries, there are no certain means in many counties of determining whether they were imposed during one iter or circuit; and as in most cases each separate debt is awarded by one judge only, there is nothing to show that the several judges acted together at the same time. For instance, in the example given by Madox for the county of Lincoln, one debt is stated to be "de placitis" of Geoffrey de Clinton, another of those of Ralph Basset, another of Richard Basset, and a fourth of William de Albini. But in some counties the entries manifestly refer to pleas held in some preceding year. In Buckinghamshire the sheriff accounts for one sum "de veteribus placitis Radulfi Basset;" and for another "de placitis G. de Clinton de Judicibus Burgi de Buckingeham;" plainly denoting two periods, and showing that the establishment of itinera must be fixed at a date earlier than that of the roll.

There is a curious entry in this ancient roll of the judges (Walter Espec and Eustace Fitz-John) and jurors of Yorkshire fining in the sum of 100*l.* that they should not be judges and jurors any longer.

That the civil causes or common pleas were usually heard in the Exchequer, appears from a writ of King Henry still extant, directing the bishop of London to do full right to the Abbot of Westminster, against those who broke into his church of Winton; and adding that if he failed, the king's barons of the Exchequer should do so. Another writ of the same king, confirming a grant to the church of the Holy Trinity in London, is directed to Roger, Bishop of Salisbury, (then chief justiciary, or perhaps treasurer, and president of the Exchequer) "et Baronibus Scaccarii."

Judges and barons were in this age nearly equivalent terms. The special appointment of judges had hardly yet commenced, but they were such barons of the land as were accustomed to take part in the judicial proceedings of the

Curia Regis. In the laws of Henry I. it is said, "Regis Judices sunt Barones Comitatûs, qui liberas in eis habent terras; villani vero, corsetti, vel qui sunt viles, aut inopes personæ non sunt inter judices memorandi." In a charter also granted by King Stephen in the first year of his reign, confirming certain lands to Milo of Gloucester, he covenants with Milo, "sicut baroni et justiciario meo," not to implead him of any of those lands: and Bracton also says "Comites vero vel Barones non sunt amerciandi, nisi per pares suos, et hoc per Barones Scaccarii, vel coram ipso Rege."

It was a natural consequence, therefore, that, even after the judges of the Exchequer ceased to be lords of the land, they should still retain the designation of baron.

There is no record to show the precise mode in which the judges were paid. From the only great roll of this reign, it is evident that one of their privileges was an exemption from the payment of the Danegeld and other impositions on the land. All the judges previously named, with two exceptions, are mentioned among those for whose proportions the different sheriffs take credit, under the terms "In perdonis, per brevem Regis." These two exceptions are Ralph Basset and Henry de Port. For the latter no cause appears; but the former may be perhaps accounted for by the probability that he died before the year of the roll; a presumption strengthened by the fact that many of his pleas are stated to be old pleas, and pleas of the past year: and also judging from the number of counties in which exemptions are attached to the name of Richard Basset his son, it may be inferred that he had then succeeded to his father's possessions.

BIOGRAPHICAL NOTICES

OF

THE JUDGES UNDER THE REIGN OF HENRY I.

ALBINI-BRITO, WILLIAM DE.

JUST. ITIN. 1130.

Two persons named William de Albini lived at this time. One, called *Pincerna*, whose romantic adventures with Adelaide, Queen Dowager of France, are related by Dugdale in his "Baronage," married Adeliza, the widow of King Henry I. The other was surnamed *Brito*, probably in order to distinguish him from his celebrated contemporary.

He was the son of Robert de Todeni, the standard-bearer of William the Conqueror, who participated largely in the rich rewards distributed by his master, and founded Belvoir Castle, in Leicestershire, as the chief seat of the numerous manors conferred upon him. He died in 1088, and by his wife Adela left four sons; the eldest of whom, this William, assumed the name of Albini, in consequence, it is believed, of his having been born in the parish of that name in Normandy.

His possessions, however, were not confined to the neighbourhood of Belvoir Castle. In the town of Sawbridgeworth in Hertfordshire, which belonged to him, he exercised almost royal power, if we may judge from his charter or writ commanding his vassals there, that if any plaint or quarrel arose

among the monks of that church, it should be stayed till it could be brought before him.[1]

He greatly distinguished himself, in 1106, at the battle of Tenchebrai, on the part of King Henry, and afterwards appears to have been high in the royal favour. The county of Rutland was placed under his care as sheriff, or fermour; and the custody of the extensive lands of Otuer Fitz-Count was entrusted to him. He was also one of the council of the king, attended him in his movements, and was a witness, immediately after Hugh Bigot, and before Richard Basset, to the charter by which Henry, in 1134, granted the office of Great Chamberlain to Alberic de Vere and his heirs.[2]

It may therefore be presumed that he assisted with the other barons in the sittings of the Curia Regis; and when circuits were established by King Henry for the dispensation of justice throughout the kingdom, he was naturally selected to act in the county where his largest possessions were situate. The great roll of 31 Henry I. gives evidence of his holding pleas in Lincolnshire, and also as justice of the forest in Essex.

From this roll it appears that he was excused from the payment of Danegeld in seven counties in which he had property; an exemption which he enjoyed in common with all those who were employed in the administration of justice.

Adhering, under the reign of Stephen, to the fortunes of the Empress Maude, he was for a time deprived of his extensive estates; but they were afterwards restored to him. His name appears as a witness to this king's charter granting the burgh of Hereford to Robert, Earl of Leicester.[3]

He died about 1135, 2 Henry II., leaving by his wife Maud, daughter of Simon de Liz, Earl of Huntingdon, and

[1] Madox's Exch. i. 120.
[2] Ibid. i. 56. 297. 327.
[3] Ibid. ii. 139.

widow of Robert, son of Richard de Tonbridge, two sons, William and Ralph.

1. William, who was surnamed Meschines, had a son, also William, who will appear hereafter as a justice itinerant under Henry III. His son, likewise William, being the last male descendant of this branch, the possessions were carried by his daughter Isabel to her husband, Robert de Roos; and her male descendants continued to hold that barony till the year 1508, when, by the marriage of the heiress with Sir Robert Manners, it devolved on their son George, whose son, Thomas, was created Earl of Rutland in 1525. On the death of this earl's grandson without male issue, the two titles became divided: but their present possessors, viz., the Duke of Rutland and Lord de Ros, plainly trace their descent from Isabel de Albini.

2. Ralph, whose descendants called themselves Daubeney, by which name they were summoned to parliament. In 1538, Baron Daubeney was created Earl of Bridgewater, but both titles became extinct on his death, without issue, in 1548.[1]

ARNULPH. *See* RANULPH.

BASSET, RALPH.

? JUST. ANGL. 11 . . .

RALPH BASSET was Baron of Welden, in Northamptonshire, and had large possessions in several of the midland counties. He was a Norman by birth, but is stated to have been raised from an ignoble family by King Henry at the beginning of his reign.

Spelman places him as chief justiciary in the reign of

[1] Mag. Rot. 31 Henry I.; Dugdale's Baronage, i. 111.; Brydges' Collins' Peerage, i. 462., vi. 486., ix. 451.; Nicolas's Synopsis of the Peerage.

William II., and states that he succeeded Ranulph Flambard, Bishop of Durham, in that office. But this is contradicted by the fact, that the bishop had certainly all the power usually attributed to the chief justiciary at the time of William's death.

Dugdale does not introduce him as chief justiciary till the reign of Henry I.; but it may be doubtful whether he was even then distinguished by that precise designation, notwithstanding the assertion of Henry of Huntingdon in his Epistle De Mundi Contemptu, as it is unquestionable that the principal power was exercised by Roger, Bishop of Salisbury, for the greater part of the reign, and especially during the king's frequent absences from England. The place he takes as last of fifteen subscribing witnesses to King Henry's charter to Westminster Abbey[1], granted either in 1121 or 1122, demonstrates that he could not then have held the office.

Ralph Basset, however, certainly filled a very high position in the administration of justice, and seems to have been selected to carry into execution the just and severe laws enacted by Henry for the suppression of the system of rapine and robbery, which the last reign had introduced. He is mentioned in 1124 as presiding over a court of the barons held at Hung-hoge (now Huncote), in Leicestershire, for the trial of offenders, where he caused no less than forty-four men convicted of robbery to be hanged.

By the roll of 31 Henry I. it appears, not that he was chief justiciary, for that title never occurs in it, but that he had been justice of the forests in the counties of Norfolk, Suffolk, and Surrey; and that in the Itinera which were appointed by King Henry for the purpose of relieving the Curia Regis, and of administering justice to the people almost at their own doors, no less than six counties, and probably

[1] Dugdale's Monast. (1846), i. 308.

more, were placed under his direction. He was manifestly dead before the date of that roll; and the entries in it, in which his name occurs, have reference to debts due to the crown from his pleas in previous years. No allowances of Danegeld and other impositions are made on his account, similar to those granted to the other judges so employed at the time: and his son, Richard Basset, is not only charged as being in possession of large estates, no doubt part of his inheritance, but was so far advanced in life and experience at its date, as to be employed as a justiciary for six other counties.

According to the manner of the time, he gave, in the year 1121, one carucate of land in Chinalton, parcel of the lordship of Colston in Nottinghamshire, and ten oxen, for the maintenance of a monk in the abbey of Eynsham in Oxfordshire, then being restored from the ruin into which it had fallen.

The precise date of his death is uncertain; but it took place at Northampton, where, falling sick, he called for a monk's habit of the order of those of Abingdon; and after disposing of his estate and sending no small sum to that abbey, with a grant of four hides of land in Chedelesworth, he died, and was honourably buried in the chapter-house there.

There is some uncertainty as to the number and names of his children. He is stated to have left four sons, viz., Thurston, Thomas, Richard, and Nicholas; to whom Dugdale adds another, named Gilbert, the father of Thomas, Lord of Hedendon, a justicier in the reign of Henry II. From his issue various baronies sprang; one of which survives in the present Baroness Bassett of Stratton, in Cornwall.[1]

[1] Dugdale's Baronage, i. 378.; Madox's Exch. i. 12. 146. 541., ii. 224.; Epist. H. Huntingdon de Mundi Contemptu, Angl. Sac. ii. 701.; Thoresby's Thoroton's Nottinghamshire, i. 161.; Mag. Rot. 31 Henry I., Hunter's ed. 31. 101. 124. 145.

BASSET, RICHARD.

? Just. Angl. 11...

Richard Basset was one of the sons of Ralph Basset, and succeeded him in the barony of Welden in Northamptonshire. From an early period of his life he was attached to the court, and assisted in the administration of justice in the Aula Regis. It is probable that during the life of his father he had advanced to a considerable position: for in the great roll of 31 Henry I. the same number of counties are mentioned as under the judicial superintendence of both; and the father could only have been recently deceased. By the same roll it appears that Richard Basset and Alberic de Vere accounted for the rents of no less than eleven counties, of which they were the joint custodes or sheriffs. These were the counties of Surrey, Cambridge, Huntingdon, Essex, Hertford, Northampton, Leicester, Norfolk, Suffolk, Buckingham, and Bedford; and as they appear in the same character in all of these counties, except Leicestershire and Surrey, in the first year of Henry II., they probably were not removed during the intervening reign of Stephen. The roll also shows that he was exempted from the Danegeld and other amercements in ten different counties; and that in two he had allowances, viz., in Nottingham, 7*l.* 19*s.*, and in Essex, 7*l.* 10*s.*

He is introduced as chief justiciary to Henry I. in Dugdale's list, on the authority of Henry of Huntingdon and Ordericus Vitalis; but some doubt may be entertained whether he can be correctly so described. If he had held the office in 31 Henry I., the roll of that year would have afforded some evidence of it; but it makes no distinction between him and the other justiciaries, whose pleas it records. In the grant, also, of the office of great chamberlain of England to Alberic de Vere, his name stands so low on a list

29832

of twelve witnesses, as to preclude the possibility of his being invested with the title. That grant is dated "apud Ferncham in Transfretatione Regis." This must have been on occasion of the king's last visit to his Norman dominions in 1134; as is apparent from the fact, that Geoffrey, Bishop of Durham, the chancellor, whose name stands as the second witness, was not elected to that see till 1133. The first witness is Roger, Bishop of Salisbury, which is strong presumptive evidence that he was then first minister or chief justiciary of the kingdom.

The expression of Ordericus Vitalis goes no further than that he had great power in this reign, "utpote Capitalis Justitia." Dugdale's opinion, also, that he held it jointly with Alberic de Vere, is probably founded on the fact, that they were joint sheriffs of so many counties. Although the latter author says in his Baronage that he also held the office during the whole of King Stephen's reign, he does not so insert his name in his Chronica Series.

He married Matilda, the daughter and heir of Geoffrey Ridel, the justiciary (whose land appears to have been in his custody), and increased his already large property by her possessions. Of these he devoted a great portion to pious uses. The priory of Laund, in Leicestershire, dedicated to St. John the Baptist, was founded by him and his wife, and munificently endowed by them with the town and manor of Lodington, in which it stands; with Friseby also; besides no less than fifteen churches in the neighbourhood, and one in Rutland. These grants were confirmed by King Henry I.; one of whose charters affords a curious proof that three of the so-called chief justiciaries were contemporaries, as Geoffrey de Clinton and Alberic de Vere are among the witnesses to it.

No date is given of his death. Henry of Huntingdon, in his epistle De Mundi Contemptu, mentions him as then dead;

and as he was clearly alive in 1 Henry II., 1154, his name appearing as sheriff, as before stated, and a change being made in the sheriffalty of each of his counties in the following year, the close of his earthly career may be fixed at that period; the death of Henry of Huntingdon occurring very shortly after.

His eldest son, Geoffrey, assumed his mother's name of Ridel. Another son, Ralph, who continued the surname of Basset, was lord of Drayton, in Staffordshire; and a third son, William, was lord of Sapcote, in Leicestershire, and will be mentioned as a justicier in the reign of Henry II.[1]

BATH, BISHOP OF. *See* GODFREY.

BLOET, ROBERT, BISHOP OF LINCOLN.

JUST. ANGL. II . . .

See under the Reign of William II.

BOTH Risdon and Prince state Robert Bloet to have belonged to a family of that name, which held the lordship of Ragland, and which, for many generations, lived at Holcombe Rogus in the county of Devon, where it still flourishes. The name is often spelled Bluett. Prince describes him as the second son of Sir Rowland Bloet, and great-grandson of William Bloet, Earl of Salisbury; of which earldom, however, before the Conquest, Dugdale gives no account.

Godwin says nothing of his lineage; but his editor, Richardson, describes him as brother of Odo, Bishop of Bayeux; quoting Claud. A. 8, f. 118, MSS. Hutton; and referring in corroboration to his grant of the manor

[1] Epist. H. Huntingdon, Angl. Sac. ii. 701.; Dugdale's Orig. Jurid. 20., and Chron. Series; Thoresby's Thoroton's Notts. i. 161.; Dugdale's Monast. (1846), vi. 189.; Madox's Exch. i. 33. 56. 147. 164. 327., &c.; Mag. Rot. 31 Henry I., Hunter's ed. passim.

of Charleton to the priory of Bermondsey, wherein he says, "quod pro salute animæ Dom. mei Willelmi Regis, et *fratris mei* Bajocens. Episcopi, &c., confirmavi Monachis de Bermondsey Cherletonam," &c. This charter is not in the Monasticon, but is stated to be among the collections of Robert Glover, from the archives of the monastery in the office of arms.

If Odo be the bishop really intended, the first question would be, whether the words "fratris mei" are used in their natural or metaphorical sense, — whether they mean brother of his blood, or brother in his profession or his order. If the former, it is still to be discovered how the relationship can be explained; and how it is to be accounted for that the interval between the commencement of their several careers should have extended to a period of nearly fifty years. But a doubt cannot be repressed, whether this charter has been correctly copied, when it is recollected that in the year 1093, the date of the grant, Odo was then in exile; since it is difficult to believe that Bloet, who was the king's chancellor, and had been just advanced to the bishoprick of Lincoln, would have been inclined, or if inclined would have ventured, to insult his patron and his sovereign, by coupling with his the name of a man who had been banished the kingdom as a traitor, or that the king would have confirmed a grant made on such conditions.

With these contradictory accounts, therefore, his birth, his lineage, and even his country, must remain in obscurity.

It seems very probable that he was the Bloet who is mentioned as accompanying William Rufus to England upon the death of the Conqueror.[1] The name of Robert Bloet, without any addition, appears as the witness to one of William's charters to the monastery of Durham, granted in

[1] Lingard, ii. 76.

1088 or 1089[1]; and the signature "Rodberto Dispensatore" is attached to another to Chichester Cathedral[2], which was probably granted about the same time, and may perhaps be his.

He was appointed chancellor before July or August, 1090, a charter to the cathedral of Lincoln of that date bearing his attestation[3]; another to Salisbury, dated in 1191[4], and several without date[5], but no doubt granted about the same time, record his name as chancellor; but no instance occurs of his signature as chancellor after he was raised to the bishoprick of Lincoln.

He is said to have owed his early advance to the prelacy to William's compunction during a serious illness. Oppressed with the memory of his evil life, and particularly of his extortions from the church, the royal penitent resolved to fill up the vacant bishopricks, which he had long held in his hands. Bloet, though he benefited by the immediate appointment, found, upon the king's recovery, that his good resolutions were forgotten, and was compelled to pay a large sum, varying, according to different authors, from 500*l.* to 5000*l.*, as the price of his advancement, or, perhaps, for exempting the see from the jurisdiction of the Archbishop of York.

He was consecrated by Archbishop Lanfranc in 1093, and no doubt then resigned the great seal, which was placed soon afterwards in the hands either of Galdric or William Giffard.[6]

The grants that were made to his cathedral by the king are strong proofs of his continuing in the royal favour, and his frequent attestation of charters is evidence of his attendance at court. That he exercised considerable influence not only over King William, but over his successor, King Henry, also, all writers agree; but it does not appear that he held

[1] Dugdale's Monast. (1846), i. 241.
[2] Ibid. vi. 1167.
[3] Ibid. vi. 1271.
[4] Ibid. vi. 1295.
[5] Ibid. i. 174., ii. 266., vi. 1177.
[6] See p. 55.

any official character under William, after he retired from the chancellorship.

Neither Spelman nor Dugdale introduce him in their lists of chief justiciaries under Henry I., but Henry of Huntingdon, who was one of his archdeacons, and had lived long in his family, expressly states that he was "Justitiarius totius Angliæ." Whatever doubt may be felt with regard to this author's attribution of the title to some others, it is impossible entirely to discard his authority here, considering the intimacy of his connection, and the consequent means of knowledge that he had. The period when he held the office is not mentioned, but he is further described as having been twice prosecuted in the last year of his life by the king's suggestion, and as having been fined so severely as to produce the lamentation that he was now compelled to dress those about him in woollen, who had formerly been clothed in rich garments. Even to the last, however, the king pretended kindness towards him; but when some royal flatteries were reported to him, he exclaimed with a sigh, "He praises no one whom he does not mean to destroy." He was in the king's company at Woodstock on the occasion of a royal hunt, when he was struck with apoplexy, and falling off his horse, was carried to his bed, and died on January 10, 1123. His bowels were buried at Eynsham, in Oxfordshire, a monastery which he had restored, and his body was deposited at Lincoln.

He had an illegitimate son named Simon, born to him when he was chancellor, whom he appointed, while yet in his nonage, dean of his church. Though this does not speak well of his morals, the character given him by his contemporaries in other respects is much in his favour. Henry of Huntingdon describes him as mild and humble, a raiser of many, a depressor of none, the orphan's father, and the delight of his family; and Mathew Paris testifies to the

beauty of his person, and the sweetness and affability of his manners and conversation.

He was the second Bishop of Lincoln after the removal of the see from Dorchester, and abundantly adorned and enriched his church, doubling the number of its prebendaries, and endowing them with lands from his private possessions.[1]

BOCLAND, HUGH DE.

? Just. Angl. 1100.

Hugh de Bocland was a canon of St. Paul's, and is mentioned by Dugdale and Spelman as chief justiciary at the commencement of the reign of Henry I., on the authority of that king's charter of liberties, as cited by Mathew Paris, being addressed to him in that character. Both Roger de Wendover and Mathew Paris give two copies of that charter: the first, when it was promulgated by Henry in the first year of his reign; and the second when it was produced to the barons, 113 years afterwards, by Archbishop Langton. The first, therefore, would more probably be the correct copy, and that is addressed to him as Sheriff of Herefordshire or Hertfordshire, while the latter is addressed to him as Justiciarus Angliæ. The continuation of the address in both is "et omnibus fidelibus suis, tam Anglis quam Francis, in Hertfordsyre," words which shew that similar copies were sent to each county, addressed no doubt to its particular sheriff, as this was,—according to the royal direction at the time of its grant, recorded by both these historians, "that as many copies of it were to be made as there were counties in

[1] Risdon's Survey of Devon, 67.; Prince's Worthies of Devon, 84.; Godwin de Præsul. 283.; Le Neve, 138. 144.; H. Huntingdon, Epist. de Mundi Contemptu; Angl. Sac. ii. 694.; Roger de Wendover, ii. 41. &c.; Turner's England, i. 167.; Daniel's Engl. 58.

England, to be deposited in the abbeys of each county as a public record." A charter by which King Henry made a grant of land in Essex to Otho "aurifabro," addressed to Maurice, Bishop of London, and Hugo de Bocland, "et omnibus baronibus suis et fidelibus, Francis et Anglis, de Essexiâ,"[1] affords a corroboration that he was at this time Sheriff of Hertfordshire, inasmuch as the two counties of Essex and Hertford were then, and for several centuries afterwards, united under one sheriff, and the sheriffalty was frequently held for many years together by the same individual.

Spelman's argument, that several chief justiciaries were sheriffs of counties, can have no weight unless he goes further and proves that all sheriffs of counties were chief justiciaries. Nor can the writ that he quotes, addressed to Hugh de Bocland and William Bainard, "et omnibus ministris meis in London," assist the decision; because if it proved Hugh de Bocland to have been chief justiciary, it could not refuse the same title to William Bainard. It would appear more probable that they were both at its date sheriffs of London, and the curious may perhaps identify Hugh de Bocland with Hugh Buche, whom Stow mentions as portgrave of that city, or Hugh Bock, sheriff, as Maitland calls him, at this precise period.

There is a charter by which King Henry granted to Otho the younger the privilege of exercising his father's trade, "misterium cuneorum"—probably the making of dies—which is addressed "Mauricio Lond. Episcopo, et Hugoni de Bocland, et omnibus baronibus suis et fidelibus, Francis et Anglis, de Londoniâ;"[2] which seems to support this suggestion. Another charter, containing the king's confirmation of Alberic de Vere's grant of the church of Ken-

[1] Rymer's Fœd. (1816), i. 9. [2] Ibid.

sington to the abbey of Abingdon, is addressed to Bishop Maurice and Hugh de Bocland, precisely in the same terms, adding the words "et Middlesexiâ,"[1] in which county the church was situate: this charter also leads to the same conclusion. There is, besides, a mandate of King Henry prohibiting the fishermen of the Thames from fishing before the fishery of Rochester, addressed to Hamo the Dapifer (who was Sheriff of Kent) and to Hugh de Bocland[2], no doubt in his capacity of Portgrave or Sheriff of London, and thus having jurisdiction over that river. If he had been chief justiciary, he surely would not have been named after Hamo the Dapifer. The same observation applies more forcibly to a charter dated in 1111, to the priory of Colne, in which he stands the *last* of eight witnesses.[3] But that he never held that high and responsible office, is rendered more probable by the total silence of the historians with regard to him, a silence which is wholly unaccountable in reference to an officer, whom they describe as the prime minister of the realm, and the next to the king in dignity.

In the reign of Henry II., some of this name, possibly his descendants, were sheriffs of Berkshire.[4]

CLINTON, GEOFFREY DE.

? Just. Angl. 11 . . .

There are two accounts of the origin of Geoffrey de Clinton: one that he was of mean parentage, raised to high office, and loaded with extensive possessions by the favour of King Henry I.: the other, that he was the grandson of William

[1] Dugdale's Monast. (1846), iv. 100.
[2] Ibid. i. 164.
[3] Ibid. iv. 100.
[4] Spelman's Glossary; Dugdale's Orig. Jurid. 22.; Roger de Wendover, ii. 161., iii. 263.; M. Paris, 55. 240.

de Tankervilla, Chamberlain of Normandy, and Maud, the daughter of William de Arches. Dugdale gives the greatest weight to the first of these accounts, and states that he was advanced to the high office of justice of England. The reference, however, which he makes to Henry of Huntingdon in evidence of this fact I do not find, and no confirmation of it appears in any other authority.

How early in the reign of Henry I. he became in favour with the king, there are no means of tracing. He is the fourteenth witness, with no title attached to his name, to that king's charter to Westminster Abbey [1], granted either in 1121 or 1122: and his name, and that of William de Clinton (probably his brother), are added, also without any designation of office, to those of Queen Adeliza, and Geoffrey, the chancellor, as witnesses to a deed of King Henry, confirming a grant of the Soke of Knighten Guilde to the Church of the Holy Trinity in Aldgate, London [2]; the date of which must have been between 1121 and 1128.

In one of his grants to the priory of Kenilworth, dated after 1123, he calls himself chamberlain of the king; and in another dated after 1125, treasurer; and in the charter of confirmation, which contains no certain evidence of its date, the king gives him both titles.[3] There seem to have been more than one chamberlain in these times, several persons being mentioned at the same period with that title, besides Alberic de Vere, to whom King Henry granted the office of "Magistra Cameraria totius Angliæ." Possibly Geoffrey de Clinton was Chamberlain of Normandy.

That he was high in the confidence of the king in the thirty-first year of his reign, is proved by the fact that he is mentioned as holding pleas in no less than eighteen counties in the roll appropriated to that year; and also as being justice

[1] Dugdale's Monast. (1846), i. 308.
[2] Ibid. vi. 153.
[3] Ibid. vi. 221.

of the forest for Huntingdonshire, and Sheriff of Warwickshire. No presumption, however, can be formed from this fact that he was chief justiciary; as both Ralph Basset and Richard Basset are mentioned in the same roll with similar duties assigned to them; and as there is very little doubt that Roger, Bishop of Salisbury, was then invested with the highest dignity in the kingdom.

The same roll contains an entry that he owed 310 marks for the ministry of the treasury at Winchester, showing that he was still treasurer. This office and that of chamberlain would entitle him to sit in the Curia Regis, and to decide the various pleas heard there: and would of itself be a sufficient reason for his being entrusted with the same duties on the Itinera. It appears from that roll that his possessions were very large, and extended through no less than fourteen counties; and his exemptions from the Danegeld and other amerciaments to which they were liable amount to the large sum of 56*l.* 16*s.* 1*d.*

He built the castle at Kenilworth, and gave all the lands he held there, except those attached to the castle and park, to endow the priory of Augustin monks which he founded.

Either he or his son, also named Geoffrey, was Sheriff of Leicestershire in the first year of Henry II., in part of whose reign a Geoffrey de Clinton, probably the son, is mentioned as chamberlain.

The male branch of his own family failed at the death of his great-grandson, Henry, in 1232; but from his nephew, Osbert de Clinton, descended a long line, one of whom, in 1337, was raised to the title of Earl of Huntingdon, which, however, became extinct at his death in 1354; another was created Earl of Lincoln in 1571, one of whose lineal descendants succeeded in 1768 to the title of Duke of Newcastle-under-Line. The title of Clinton passed through a female to

Hugh Fortescue, who in 1746 was created Earl Clinton and Baron Fortescue, which titles became extinct at his death in 1751, while the barony survived, and through female descent has devolved on its present possessor.[1]

DURHAM, BISHOP OF. *See* GEOFFREY RUFUS.

ESPEC, WALTER.

JUST. ITIN. 1130.

WALTER ESPEC was a powerful baron in the North, his principal estate being Helmsley, or Hamlake, in Yorkshire, and having also large possessions in Northumberland and several other counties.

The loss of his only son Walter, by a fall from his horse, is said to have induced him to devote a great part of his estate to the service of God. He and his wife Adelina founded a priory of Augustin canons at Kirkham in Yorkshire, to the honour of the Holy Trinity, in 1121, endowing it with seven churches, and other lands to the amount of 1100 marks per annum.

He also founded the abbey of Rievaulx in the same county, for Cistertian monks, in 1131, dedicating it to the Virgin Mary; and the abbey of Warden in Bedfordshire, in 1135, for the same order, with endowments of like munificence.

He was justice of the forest for Yorkshire during part of the reign of Henry I.; and he and Eustace Fitz-John, another northern baron, were justices itinerant to hear civil and criminal pleas in that county, and also in Northumberland, Cumberland, and the bishoprick of Durham. The precise period of their appointment is uncertain, but they both fined

[1] Mag. Rot. 31 Henry I., Hunter's ed.; Madox's Exch. i. 58, 59. 146.; Brydges' Collins' Peerage, ii. 181.; Nicolas's Synopsis.

to be relieved from being judges of Yorkshire in 31 Henry I. They had certainly acted as justiciers in the two preceding years; during which they were excused, as the judges then usually were, from the payment of Danegeld and other impositions.[1]

In the early part of the reign of King Stephen, Walter Espec appears in the character of an experienced warrior, heading his countrymen against the ferocious invasion of the Scots. Animated by despair, under the barbarities which they witnessed, the northern barons summoned their neighbours and dependants, who put themselves under the command of Walter Espec and William of Albemarle, and marched to Northallerton. There they placed a silver pix containing the consecrated host on the top of a tall mast, with the banners of their patron saints, to serve as a rallying point; and from this sacred ensign the battle which followed and which was fought on August 22, 1138, received the name of the Battle of the Standard. From the foot of this standard Walter Espec harangued his associates, and then, by giving his hand to William of Albemarle, and exclaiming with a loud voice, "I pledge thee my troth, either to conquer or to die," he kindled such enthusiasm among his hearers, that the oath was repeated by every chieftain around him. The result of the battle was the entire overthrow of the invaders, with the loss of 12,000 men.

He died in 1153, and was buried in his own monastery of Rievaulx. To his piety and bravery, which the facts now recorded prove, may be added that he was equally distinguished for wit, modesty, sincerity, and loyalty; and (not to omit what was a great recommendation in those days) was of high and commanding stature.

Leaving no issue by his wife Adelina, his property de-

[1] Mag. Rot. 31 Henry I., Hunter's ed.

volved on his three sisters. One of them, Adeline, married Peter de Roos, from whom the present Duke of Rutland and Lord de Roos are descended. The two other sisters were Hauwise and Albreda, the former of whom married William de Buissey, and the latter Geoffrey de Traili.[1]

FITZ-ALURED, RICHARD.

JUST. ITIN. 1130.

CONSIDERABLE difficulty frequently arises in tracing the families to which individuals who are solely designated in the records as "filius Aluredi," "filius Bernardi," "filius Radulfi," &c., belong; because surnames, not being at that period in general use, sons were often described by the Christian names of their fathers, their own Christian names being in turn assumed by their children. Thus the designation varied in the different generations; until one of the family, by acquiring possessions, or honours, or office, fixed his own name, or some other he had assumed, permanently for his descendants. The difficulty is materially increased where both the Christian names thus united were of common occurrence. In these cases two persons of different families not unfrequently bore the same appellation; so that much confusion often occurs in investigating the facts and records of the time, by the impossibility to distinguish the precise individual intended.

The frequent occurrence of names of this class (the prefix "Fitz" being substituted for that of "Filius") renders these observations necessary, in order to account for the doubt that is sometimes expressed as to their actual lineage. They will

[1] Madox's Exch. i. 79. 146. 457. 501. 511.; Leland's Coll. iii 361.; Monast. Anglic. (1846), v. 274. 369., vi. 207.; Lord Lyttelton's Henry II., i. 192—197.; Lingard, Rapin.

apply more forcibly to others than to the individual now to be noticed; but their introduction appeared more appropriate, when the first example was to be considered.

Of Richard Fitz-Alured's family, however, though the name is not an ordinary one, no account can be traced, nor is anything known of himself beyond the entry on the roll of 31 Henry I. In that record it is stated that he owed, *i. e.* that he fined, fifteen silver marks, that he might sit with Ralph Basset to hold the king's pleas in Buckinghamshire. From this it may be inferred that during the life of Ralph Basset he acted as one of the itinerant justices in that county, although none of his pleas are noticed.

He is called pincerna, or butler; an office which he probably held under William de Albini, the king's chief butler.[1]

FITZ-JOHN, EUSTACE.

JUST. ITIN. 1130.

EUSTACE FITZ-JOHN is one of those whose names appear on the ancient roll of 31 Henry I. as holding pleas on the circuits established by that king. The counties in which he acted were Yorkshire, Northumberland, and Cumberland, and the bishoprick of Durham; in all of which he was united with Walter Espec; Geoffrey de Clinton being also named with them both in Yorkshire. He and Walter Espec seem to have taken some offence in the latter county, inasmuch as on the same roll it is recorded that they, and the jurors of Yorkshire, fined that they should not be any longer judges or jurors there. By the roll it is evident that he had held the office for at least two years.

He was brother of Pain Fitz-John, the next-mentioned justice itinerant. They were the sons of John de Burgo,

[1] Madox's Exch. i. 62. 457.; Mag. Rot. 31 Henry I., Hunter's ed.

called Monoculus, from having lost an eye, and the nephews of Serlo de Burgh, Baron of Tonsburgh in Normandy, and founder of Knaresborough Castle; both of whom accompanied the Conqueror on his invasion of England. The latter dying without issue, Eustace succeeded as his heir, and thus became a powerful baron in the North; receiving very large additions to his inheritance from the bounty of King Henry, and being appointed governor of Bamburgh Castle in Northumberland. He held a high place in the confidence and favour of that king, and had the reputation of a wise and judicious counsellor.

On the death of Henry, the usurper Stephen took from him the custody of Bamburgh Castle: and on suspicion of a treasonable correspondence with David, King of Scotland, seized his person and kept him for a considerable time in confinement. On obtaining his release, he joined with Robert, Earl of Gloucester, in aiding the Empress Matilda; making good for her the Castle of Malton, and raising a powerful force from his own vassals in support of the Scottish king's invasion. He held a command at the memorable Battle of the Standard, fought at Northallerton on August 22, 1138, when the Scottish forces were entirely defeated.

He must afterwards have made his peace with King Stephen; for in 1147 he founded the abbey of Alnwick, in Northumberland, and in 1150, the priory of Walton, in Yorkshire.

In the third year of the reign of Henry II., 1157, he was slain in battle with the Welsh, whom the king had attacked in a narrow and difficult pass in Flintshire.

He was twice married. His first wife was Beatrix, the daughter and sole heir of Yvo de Vesci, who held numerous lordships at the General Survey, in the reign of the Conqueror, in right of his wife Alda, the daughter and sole heir

of William Tyson, Lord of Alnwick. The name of Vesci was afterwards assumed by Eustace's son William, who succeeded to the barony, which became extinct in 1297, by the death of William de Vescy, a justice itinerant in the reign of Edward I., without heirs.

His second wife was Agnes, daughter and heir of William Fitz-Nigel, Baron of Halton, and Constable of Chester, to both of which he succeeded. By her he had a son named Richard Fitz-Eustace, one of whose grandsons, Robert Fitz-Roger, was a justicier in the reigns of Richard I. and John, and another, Roger de Laci, was also a justicier in the latter reign.[1]

FITZ-JOHN, PAIN.

JUST. ITIN. 1130.

PAIN FITZ-JOHN was the brother of the above-mentioned Eustace Fitz-John. He was also a favourite baron and one of the chief counsellors of King Henry: and in the roll of the thirty-first year of that reign is mentioned as a justice itinerant in the counties of Gloucester, Stafford, and Northampton, in conjunction with Milo of Gloucester. His exemptions from the Danegeld on his lands in Oxfordshire, Gloucestershire, and Norfolk, on account, no doubt, of his being thus employed, are recorded in the same roll.

He likewise possessed the whole territory of Ewyas, in Herefordshire. His castle of Caus, in 34 Henry I., was attacked in his absence by the Welsh, who burned it to the ground, and massacred all its inhabitants: and two years afterwards, in 1136, he himself was slain with 3000 of King

[1] Madox's Exch. i. 146. 457.; Mag. Rot. 31 Henry I., Hunter's ed.; Dugdale's Monast. (1846), vi. 867. 970.; Allen's Yorksh. vi. 154.; Lord Lyttelton; Rapin; Nicolas's Synopsis of the Peerage, 664.

Stephen's troops in a battle fought with the same enemy, near Cardigan.

By his wife Sibyll he had a son and two daughters. Cecilia, the elder daughter, married Roger, the son of Milo of Gloucester (afterwards Earl of Hereford), his coadjutor as a justice itinerant; and Agnes, the younger daughter, married . . . . . de Montchensy. His son Robert took the name of Fitz-Payne, and his male descendants were summoned to Parliament until the reign of Edward III. The baron of that period dying without male issue, the title became in abeyance in the female line; and at last devolved on the Earls of Northumberland, or at least was claimed by them. But all the honours having become extinct by attainder in 1537, this and other titles were restored by recreation in 1557 to the heir, Thomas Percy, who afterwards was created Earl of Northumberland. They became again extinct in 1670, by the death of Earl Josceline without male issue; and on the new creation of the heir of Earl Josceline's daughter as Earl of Northumberland, the title of Baron Fitz-Payne was omitted.[1]

GIFFARD, WILLIAM, BISHOP OF WINCHESTER.

CHANCELLOR, 1100.

See also under the Reigns of William I. and William II.

OF the early career of William Giffard, no information remains. He was certainly a Norman of high birth, and probably a relative of Walter Giffard, who came over with King William at the time of the Conquest, and was rewarded with the earldom of Buckingham. In consequence of that connection, he was in all likelihood received into the Con-

[1] Madox's Exch. i. 146.; Rymer's Fœd. (1816), i. 10.; Mag. Rot. 31 Henry I.; Lord Lyttelton, Rapin; Hasted's Kent; Dugdale's Baron. i. 90. 572.; Nicolas's Synopsis.

queror's household as one of his chaplains: but the first certain notice of his name is as chancellor.

He is placed by all the authorities as the last chancellor to William I., succeeding William Welson, afterwards Bishop of Thetford. Some difficulty arises from their bearing the same Christian name; but it is most probable that Welson retired from the office when he was raised to the bishoprick in 1085, and that Giffard then was appointed. No charter, however, distinctly proves this; and that to the church of Shrewsbury, which is referred to as evidence by Dugdale, seems more probably to have been granted by William II.

It is curious also that, though William Giffard is generally mentioned as the first chancellor under William II., and though there are several undated charters witnessed by "William the Chancellor," which may well have been granted in 1087, 1088, or 1089, the first three years of the reign, yet there are none which positively fix who was the chancellor during that particular period. There is proof, however, that Robert Bloet, who succeeded him, witnessed, *not* as chancellor, a charter to Durham Cathedral, granted between 1088 and 1090[1]; and that he witnessed another to Lincoln Cathedral, as chancellor, in July or August, 1090.[2]

William Giffard's name is not to be found in any charter for the next three years: but his restoration to the chancellorship between 1093 and 1098 is rendered certain by his witnessing in that character a charter granting the manor of Stone to Rochester Cathedral[3]: for, though it is undated, one of its witnesses is Robert Bloet, Bishop of Lincoln, who was not raised to that see till 1093; while Walkeline, Bishop of Winchester, another witness, died in January, 1098. By several subsequent charters, to which Giffard was a witness, some dated, and others the dates of which may, by a similar

[1] Dugdale's Monast. (1846), i. 241.
[2] Ibid. i. 164.
[3] Ibid. vi. 1271.

process of investigation, be fixed within particular years, his continuance in the office may be traced to the end of the reign. One of King William's charters to Durham [1] must have been granted between the death of Bishop William de Carilefo, in 1095, and August, 1100, the date of the king's death: another of the same king's charters to the same cathedral [2] must have been granted after the election of Bishop Ranulph Flambard, in May, 1099: and a third charter to the monastery of Evesham is dated at Easter, 1100 [3], only a few months before the death of the king.

There can be very little doubt, therefore, that he was chancellor at the termination of the reign of William II. That he so continued at the commencement of that of Henry I. appears by a charter granted by that king to the priory of Lewes [4], the date of which is ascertained by the fact that "Girard the *Bishop*" is one of the witnesses to it. This Girard was Bishop of Hereford, but was raised to the archbishoprick of York in 1100, after the death of Archbishop Thomas, which occurred on November 18. So that this charter must have been dated between August 5, the day of Henry's accession, and Girard's elevation, in November or December of that year. Giffard was also witness to the charter relative to the debasers of the coin at the following Christmas.[5]

Soon after this he was superseded in his office by Roger, afterwards Bishop of Salisbury, who is designated chancellor in two charters, dated September 3, 1101.[6] After Roger's elevation to the episcopal bench, however, Giffard was reinstated, as appears from his being present as chancellor at the signing of the convention between King Henry and the Earl of Flanders, on March 10, 1103.[7] Although there are

[1] Dugdale's Monast. (1846), i. 241.
[2] Ibid. ii. 18.
[3] Ibid. i. 241.
[4] Ibid. v. 14.
[5] Rymer's Fœd. (1816), i. 12.
[6] Dugdale's Monast iv. 16, 17.
[7] Rymer's Fœd. i. 7.

several other charters with his name as chancellor to King Henry, which may have been granted about this or the former period, there is every probability that it was very shortly after the latter date that he was discharged from the office in consequence of the displeasure of the king.

At the coronation, or soon after the accession of Henry, Giffard had been nominated to the vacant bishoprick of Winchester; but his consecration had been prevented at first by the absence of Archbishop Anselm, and then by that prelate's refusal to perform the ceremony upon him and several others then appointed, unless the king would give up the right of investiture, which had been gradually assumed by the crown. After many ineffectual attempts to induce Anselm to comply, Henry endeavoured to counteract his refusal by employing Girard, Archbishop of York, for the purpose: but Giffard, fearing that this would lead to his excommunication, declined to avail himself of the offer; and by so doing turned the royal anger against himself, and was not only dismissed from his office, but was banished the kingdom. This must have occurred soon after his attestation of the convention in March, 1103, as he accompanied Anselm to Rome on the 27th of the following month. It is remarkable that in none of his signatures after his nomination to the bishoprick does he make any allusion to it; and in the last-mentioned instrument, and also in another probably executed about the same time[1], he makes the omission more prominent by signing "William Giffard, the chancellor," in full, instead of "William the Chancellor" as he had subscribed every previous document.

The dispute between the king and Anselm lasted for the four following years, and was then terminated by mutual concessions; the king giving up the claim to invest with the

[1] Dugdale's Monast. i. 164.

crozier and ring, and being allowed to retain the more important right of receiving the fealty and homage of the bishops for their temporal possessions. This accommodation was arranged in 1107, and on August 11 Anselm solemnly consecrated seven bishops, William Giffard being among the number.

He presided over his see for nearly twenty-one years, during which period he performed many acts to make his rule remembered. He introduced monks of the Cistercian order into England, and in 1128 founded an abbey for them at Waverley in Surrey. He erected a priory for Augustine Canons at Taunton, in Somersetshire. He was either the founder of, or the principal contributor to, the priory of St. Mary Overy, in Southwark; and he built the magnificent mansion there, which was so long the residence of his successors when in London. But all these munificent acts did not prevent a contest between him and the monks of his church for dilapidations, which rose to such a height, that, after lasting two years, it was at length, in 1124, obliged to be settled by the mediation of the king. After this they lived in strict amity, and he assumed the habit of their order before his death, which occurred on January 25, 1129.

There is no act recorded of him that throws doubt on the praises awarded by Henry of Huntingdon and Thomas Rudborne in his History of Winchester; and holding the office of chancellor five times under three kings, the last of whom was celebrated for his discrimination, he must have been endowed with no ordinary qualifications.[1]

[1] Godwin de Præsul. 213.; Angl. Sac. i. 279. 700.; Roger de Wendover, ii. 164. &c.; Rapin, Turner, Lingard.

GLOUCESTER, MILO DE, Earl of Hereford.

Just. Itin. 1130.

Milo of Gloucester, sometimes called Milo Fitz-Walter, was son of Walter, described in the History of the Foundation of the Abbey of Lanthony as "Constabularius princeps militiæ domus regiæ," who built the castle of Gloucester on his own domain. His mother was Emma, sister of Hameline de Balun, also a powerful noble, and a companion of William the Conqueror on his invasion. Milo was their only son, and in addition to his large inheritance acquired, by his marriage with Sibyl, the eldest daughter of Bernard de Newmarche, the honour of Brecknock. He succeeded also to the office of constable, or, as some say, was appointed to it by King Stephen. His name, however, appears with that title to the charter granted to the Bishop of Bath at Easter, 1136, the first year of Stephen's reign.

According to the roll of 31 Henry I. he was then sheriff of Staffordshire and Gloucestershire; and one of the entries is an allowance to him as sheriff of thirty shillings for mead and beer provided for the king. By the same roll it appears that he was justice of the forest for the former county; and that he and Pain Fitz-John were justices itinerant in both counties; Geoffrey de Clinton acting also with them in Staffordshire.

On the death of Henry he concurred with the other barons in placing Stephen on the throne; and received, as the first fruits of his acquiescence, a charter from that king confirming to him and his heirs the honour of Gloucester and Brecknock, and all his other lands as fully as he held them on the day of Henry's death. This charter is dated at Reding; and was probably given when the king went to the abbey there to assist at the funeral of his predecessor. The King, in this grant, covenants with him "*sicut baroni et*

justiciario meo;" evidently using the expression as if the two titles were synonymous.

The royal favour, however, made no permanent impression; for at a very early period of the contest which followed, Milo forsook the king's party, and joined that of the Empress Matilda. He was no doubt much influenced in his conduct by Robert, Earl of Gloucester, the empress's brother, under whom he was deputy governor of the castle of Gloucester. To that unfortunate lady he proved himself a firm friend during the remainder of his life; receiving her as his guest in her difficulties, supporting her and her establishment at his own expense during a period of two years, — guiding her by his counsels, and aiding her by his arms. The oldest patent on record shows the extent of her gratitude. It is dated on July 25, 1141. It confers upon him the title of Earl of Hereford, and gives him the castle and moat of Hereford, the services of three knights and of their retainers, three manors from the royal demesnes, a forest, and a right to the third penny of the rents of the city, and the third penny of the sums arising from causes tried in the courts of the county; to be held by him and his heirs. In the following September he was one of those devoted warriors who covered Matilda's retreat from Winchester when closely pressed by the bishop; and amidst the general slaughter that ensued he had the good fortune to escape, and, alone and almost naked, reached the castle of Gloucester.

He was renowned for his bravery and good conduct, and they were both strongly exemplified in his almost romantic rescue of the sister of the Earl of Chester, when she, after the murder of her husband, Richard de Clare, was besieged by the Welsh, and being without provisions, despaired of succour. He gained the castle on the side were it was considered inaccessible, and relieved her from her dreadful condition.

Unharmed amidst all the perils he had encountered, he was at last accidentally slain by an arrow in a hunting match, on December 24, 1146.

He translated the canons of the abbey of Lanthony in Monmouthshire, who were oppressed by the Welsh, to a place called the Hide, near Gloucester, where he established them in a new abbey, called *Lanthony Secunda.*

Of his five sons, the eldest, Roger, aided Matilda during the remainder of the war; and he and three of the others became successively Earls of Hereford and Lords High Constable; but, all dying without issue, the inheritance devolved on Milo's three daughters. Margaret, the eldest, married Humphrey de Bohun, whose eldest son, Humphrey, after the death of the last of the brothers, was sometimes called Earl of Hereford. His son Henry, however, received the title by creation, and also the office of lord high constable, and was one of the twenty-five barons appointed to enforce Magna Charta. The next earl, his son, was created Earl of Essex; and the fourth earl having married Elizabeth, seventh daughter of Edward I., and two of their sons having succeeded in turn to the titles of Earls of Hereford and Essex, the third was created Earl of Northampton. In his son, after the death of his uncles without issue, all the three earldoms were eventually concentrated, but became extinct at his death by failure of male issue. That of Hereford, however, was borne by Henry Plantagenet, of Bolinbroke, who afterwards became Henry IV., in right of his wife Mary, second daughter and co-heir of the last earl. Eleanor, the eldest daughter, married Thomas Plantagenet, youngest son of Edward III., who assumed the title of Earl of Essex.

Milo's second daughter, Berta, married William de Brewes, and received the honour of Brecknock: and the share of Lucia, his third daughter, married to Herbert Fitz-Herbert, one of the chamberlains of King Henry I., comprehended

the Forest of Dene, in Gloucestershire, and other lands in England.[1]

GODFREY, BISHOP OF BATH.

? CHANCELLOR, 1123.

THYNNE and Philipot and their followers place Godfrey, but erroneously, in the list of Henry's chancellors. The sole authority they give is that of Matthew Parker, who in his life of Archbishop William Corbel says that he consecrated "Godfridum Regni Cancellarium, Bathoniensem Episcopum." The word "Regni," however, in this passage, was no doubt, by a mistake of the transcriber or the printer, substituted for "Reginæ," as Godfrey certainly was chancellor to Queen Adeliza; and the term "Cancellarius Regni," or "Angliæ," was not introduced till long afterwards, that officer being invariably called at this period "Cancellarius Regis." This consecration occurred also in 1123, when Ranulph was chancellor.

Godfrey was a Belgian priest who came over to England with the Queen on her marriage in 1121, as one of her chaplains. He was soon raised to the post of her chancellor; and, by her interest, shortly afterwards obtained the bishoprick of Bath, to which he was consecrated on August 26, 1123. He presided over his see nearly twelve years, and, dying on August 16, 1135, was buried at Bath.[2]

HERBERT. *See* HERBERT LOSINGA.
HEREFORD, BISHOP OF. *See* RICHARD.
HEREFORD, EARL OF. *See* MILO DE GLOUCESTER.
LINCOLN, BISHOP OF. *See* ROBERT BLOET.

[1] Dugdale's Monast. (1846), vi. 131—136.; William of Malmsbury, 725. &c.; Madox's Exch. i. 14. 40. 146. 148. 199. 327. 364.; Mag. Rot. 31 Henry I. Hunter's ed.; Lord Lyttelton, Lingard; Nicolas's Synopsis of the Peerage.

[2] Madox's Exch. i. 60.; Godwin de Præsul. 368.; Angl. Sac. i. 560.

LOSINGA, HERBERT, Bishop of Thetford and Norwich.

? Chancellor, 1104.

Thynne, in his Collection of Chancellors, has this passage: "Herbertus, chancellor in the fourth year of Henry the First, in the year of our salutation 1104 (as appeareth by an anonymall pamphlet in written hand), of whom I am not resolved whether this were Herbertus Losinga, Bishop of Norwich, or noe."[1]

This is the sole authority for inserting Herbert as a chancellor; for the "anonymall pamphlet in a written hand" is not forthcoming, none of the copyists of Thynne have offered any other evidence, and no record of the time contains any fact which gives authenticity to the assertion. Besides this, there is sufficient evidence that Waldric was chancellor at the specified date. It would therefore seem unnecessary to give any account of Bishop Herbert, whom Thynne is "not resolved" to be identical with the supposed chancellor; but that, holding certainly a prominent position during that period, some future discovery may be made which may attach some greater probability to the relation than now exists.

He was the son of Robert Losinga; but authorities differ whether he was a Norman or a Briton; and if the latter, in what county he was born. One says, "In pago Oxunensi in Normannia;"—another, "In pago Oxunensi in Sudovolgia Anglorum Comitatu," which some interpret Orford in Suffolk; and again another, that he was born at Oxford. The first of these seems the most probable, as there is no doubt that he was Prior of Fescamp in Normandy, previous to his coming over to England with William Rufus. Making

[1] Holinshed's Chronicle (1808), iv. 349.

himself useful in every way at court, he became a great favourite with that monarch. In the first year of his reign, 1087, he was preferred to the rich abbey of Ramsey; and four years afterwards, on the death of William Welson, in 1091, was promoted to the bishoprick of Thetford. For this advancement he is stated to have paid to the king the sum of 1900*l.*; and is charged with using the same simoniacal means for procuring the abbacy of Winchester for his father.

His conscience reproving him for these transgressions, he undertook a journey to Rome, where he succeeded in obtaining absolution from Pope Pascall II., on condition that he proved his penitence by devoting his riches to the church. On his return, he, with the consent of the king and the pontiff, in April, 1094, removed the see from Thetford to Norwich; where, in redemption of his pledge, he built the cathedral at his own expense, laying the first stone in the year 1096. The lands with which he endowed it, and which were sufficient for the support of sixty monks, are noticed in his charter, which was witnessed by King Henry I. and his queen Matilda, in 1101.

His munificence did not end here; for he erected the palace, and founded five parish churches in the county; and a monastery for Cluniac monks at Thetford.

He died on July 22, 1119, and was buried in his own cathedral. Weever gives the epitaph on his monument.

Whatever were his failings in youth, he amply redeemed them in his latter years. He was an excellent scholar for those times, and composed several learned treatises, mentioned by Pits, who calls him "vir omnium virtutum, et bonarum literarum studiis impense redditus, mitis, affabilis, corpore venusto, vultu decoro, moribus candidus, vitâ integer."[1]

[1] William of Malmesbury, 515. 518, 519. 646. 648.; Godwin de Præsul. 426.; Weever, 786, 787.; Angl. Sac. ii. 700.; Bloomfield's Norfolk, i. 405.; and Norwich, i. 465.

MONTACUTE, Prior of. *See* Reginald.

PORT, HENRY DE.

Just. Itin. 1130.

Henry de Port was the son and heir of a great Norman baron named Hugh de Port, who held fifty-five lordships under William the Conqueror at the General Survey, the principal of which was the barony of Basing in Hampshire.

By the roll of 31 Henry I. he appears to have been one of the justices itinerant acting in Kent, in which county part of his property was situated. As his possessions are not stated on that roll to be exempted from the Danegeld and other taxes, as those of the other judges were, it may be presumed that he was dead at its date, and that his pleas were of a previous year.

He founded the priory of West Shirburn in Hampshire as a cell to the Benedictine abbey of St. Vigor, in Cerasy, in Normandy, and endowed it with his manor of Shirburn; directing that his body should be buried at that abbey. He also gave the tithes of his manor of Hageley, in Hawley, near Dartford, Kent, to the church of Rochester.

His wife's name was Hadewise; and by her he left two sons, John and William, the former of whom succeeded to his barony. John's son, Adam, was afterwards a justiciary in the reign of King John: and having married the heir of Roger de St. John, that surname was assumed by his son William. The title of St. John of Basing, by which his descendants were summoned to Parliament, eventually devolved, sometimes through female representatives, on William Paulet, who, in 1550, was created Earl of Wiltshire, and in 1551 Marquis of Winchester. In 1689, Charles, the then Marquis, was created Duke of Bolton, but that

title became extinct in 1794. The Marquisate, however, survived, and the subject of this article is represented by the present holder of the title.[1]

RANULPH, or ARNULPH.

CHANCELLOR, 1107–8.

OF the birthplace and parentage of this Ranulph, history is altogether silent. He was one of the chaplains of Henry I., who raised him to the office of his chancellor. In Thynne's Catalogue, from which all the subsequent writers copy, the first date attached to his holding the seal is 1116; but from the following evidence it will be apparent that he was in possession of it at a much earlier period. He attested, as chancellor, a charter granted to the priory of St. Andrew at Northampton in 8 Henry I., 1107–8[2]; and another at Whitsuntide, 1109, granting the archbishoprick of York to Thomas.[3] His continuance in office until 1123 is proved by his name and title being appended to the following charters: making allowance for the intervals by several others, which are undistinguished by dates, or the means of fixing them.

The charter converting the abbey of Ely into a bishoprick was granted in November, 10 Henry I., 1110[4]; that removing the episcopal seat from Wells to Bath, on August 8, 1111[5]; that to the monastery of Bardney in 16 Henry I., 1115–16[6]; that to the monastery of St. Bennet of Hulme, in 1117[7]; that to the abbey of St. Vigor, in Normandy,

[1] Mag. Rot. 31 Henry I., Hunter's ed.; Dugdale's Monast. (1846), i. 170., vi. 1013.; Hasted's Kent; Nicolas's Synopsis of the Peerage.
[2] Dugdale's Monast. (1846), v. 191.
[3] Ibid. vi. 1180.
[4] Ibid. i. 483.
[5] Ibid. ii. 267.
[6] Ibid. i. 629.
[7] Ibid. iii. 86.

on November 21, 1120[1]; that to the abbey of Westminster, in 1121 or 1122[2]; and that to the priory of Laund, in Leicestershire, after April, 1123.[3]

At Christmas, in the last-mentioned year, the king held his court at Dunstable. It is related that, riding there with the monarch, the chancellor fell from his horse and was carelessly (improvide) ridden over by a monk of St. Albans, "cujus possessiones," Roger de Wendover slyly adds, "male occupaverat." In a few days his career was closed.

Although he did not live long enough to attain the episcopal honours usually awarded to chancellors, he had made some way in his ecclesiastical preferment. In the charter to Bardney in 16 Henry I., already cited, to his title of chancellor that of "Abbate de Salesbia" is added. If this means Selby, it is to be observed that the list of these abbots is very incomplete at this period.

He and his son are included in Leland's list of the benefactors of Reading Abbey, founded by King Henry in 1121[4]: and Henry III. confirms some large grants he made to the priory of Montacute, in Somersetshire, and among them one of the manor of Tinetella, with the condition that the Cluniac church should have out of it 100 shillings for the chancellor's anniversary.[5]

He is described by Wendover as suffering under heavy bodily infirmity during the last twenty years of his life, but as ready for all kind of wickedness; and Henry of Huntingdon, in recording the characters of those great men whose lives he had witnessed, while he bears the strongest testimony to his learning, sagacity, and experience, speaks in terms of severe censure of his impiety, oppression, and avarice.[6]

[1] Dugdale's Monast. (1846), vi. 1075.
[2] Ibid. vi. 188.
[3] Ibid. i. 308.
[4] Leland's Coll. i. 69.
[5] Dugdale's Monast. v. 167.
[6] Roger de Wendover, ii. 202.; Angl. Sax. ii. 698.

He is sometimes called Arnulph by the historians, but not in the records.

REGINALD, PRIOR OF MONTACUTE.

? CHANCELLOR, 11 . . .

THE introduction of Reginald as chancellor to Henry I. into Thynne's list has no other foundation than the following words in Leland's Itinerary: "Then came one Reginaldus Cancellarius, so namyd, *by likelyhode*, of his office, a man of gret fame, about King Henry the First." Upon such vague evidence as this the name has been continued in subsequent lists, when there is not a single document to support the supposition, and when it is notorious that queens, and barons, and bishops, and others had offices of this title, from which Reginald might have been named.

Leland goes on to say that "he felle to religion, and was prior to Montegue, and enlarged yt with buildings and possessions." Yet it is curious that his name is not in the list of priors contained in the Cottonian Manuscript copied by Willis in his Mitred Abbeys; and that in the recapitulation of the grants to that priory set forth in its various charters, his name does not appear as a benefactor.[1]

RICHARD, BISHOP OF HEREFORD.

? KEEPER, 11 . . .

RICHARD was one of King Henry's chaplains, and is mentioned by Thynne as keeper of the seal when Ranulph was chancellor. In no document, however, is he so designated; and Malmesbury, with greater probability, calls him "Clericus de Sigillo."

[1] Dugdale's Monast. (1846), v. 163. &c.; Thynne, list in Holinshed, iv. 349.

In the year 1120 he was preferred to the bishoprick of Hereford, being consecrated at Lambeth on January 16, by William, Archbishop of Canterbury. He died at Ledbury on August 15, 1127, and was buried in his own cathedral.[1]

RIDEL, GEOFFREY.

? Just. Angl. 11...

Geoffrey Ridel was a baron in the reign of Henry I., of whom very few particulars remain.

The authority on which he is called chief justiciary of England is that of Henry of Huntingdon, in his Epistle de Mundi Contemptu, one copy of which, however, omits his name. This author gives the title to several parties who were acting as justiciaries at the same period; and may, perhaps, have considered all those who sat judicially in the Aula Regis as entitled to that designation. The assertion in this instance certainly requires some confirmation, especially as the chief authority was undoubtedly exercised by Roger, Bishop of Salisbury, during the greater part of the reign.

Dugdale mentions him as united with Robert Bloet, Bishop of Lincoln, Ralph Basset, and others, in a commission to hear and determine a case relating to the privilege of sanctuary in the church of Ripon; and then adds that he succeeded Ralph Basset as justice of England. This, however, is not very probable; as Ralph Basset lived several years after the death of Ridel.

That event occurred in 1119, when he shared the fate of Prince William, who was drowned on his return from Normandy. William of Malmesbury, who relates the disaster, mentions among the sufferers, "dapiferi, camerarii, pincernæ

[1] Godwin de Præsul. p. 482.; Le Neve, 108.

regis, ac multi proceres cum eis;" and would scarcely have omitted the name or the title of so important a personage as a chief justiciary.

He married Geva, the daughter of Hugh de Abrincis, Earl of Chester, by whom he left only a daughter, named Matilda, who married Richard Basset, the justiciary. Their eldest son assumed the name of Ridel, and the barony became extinct in the third generation.

Geoffrey Ridel had a brother, Matthias, who was Abbot of Peterborough in 1103, and died in the following year. [1]

ROGER, BISHOP OF SALISBURY.

CHANCELLOR, 1101. JUST. ANGL. 1107.

See under the Reign of Stephen.

RUFUS, GEOFFREY, BISHOP OF DURHAM.

CHANCELLOR, 1124.

THE name of Geoffrey is the only one by which this individual is mentioned in the remaining records of the time. The History of Durham and Bishop Godwin say that he received the cognomen of Rufus, by which he is now generally distinguished, without stating on what account; and nothing is known of his family or himself until he became chancellor to Henry I.

He succeeded in this office Ranulph, who was killed by a fall from his horse about Christmas, 1123, and his name appears to a charter to Exeter Cathedral [2], which, though without date, as is common in those times, must have been granted between August, 1123, when Godfrey, Bishop of Bath, one of the witnesses, was raised to that see, and the

[1] Angl. Sac. ii. 701.; Dugdale's Baron. i. *555.*; B. Willis' Mitred Abbeys, 145.

[2] Dugdale's Monast. (1846), ii. *539.*

death of Teoldus, Bishop of Worcester, another witness, which occurred sometime in 1124.

That he was not removed from his office during the remainder of the reign, may be concluded from his witnessing as chancellor the following instruments, selected as affording the clearest evidence from many others, which would supply the intervening dates.

Hugh de la Val's charter to Pontefract Priory [1], before 1127, when Richard, Bishop of Hereford, one of the witnesses, died; King Henry's charter to Great Malvern Priory [2] in 1127, and in the same year the confirmation of the statutes of the Council of Westminster [3]; the charter to the monastery of Charteris in Cambridgeshire [4], before August, 1131, when Hervey, Bishop of Ely, one of the witnesses, died; that to the nunnery of St. Martin at Dover [5], in 1131, besides the frequent mention of his name in the great roll of that year [6]; the Foundation Charter of the priory of Dunstable [7], after 1131, when Robert, Bishop of Hereford, one of the witnesses, was raised to that see; the charter to the cathedral of Lincoln [8], in 1132; and the charter by which the king gave the office of great chamberlain to Alberic de Vere [9], which must have been granted after October 1, 1133, when Nigel, Bishop of Ely, one of the witnesses was consecrated, and being dated "apud Ferneham in transfretatione Regis," was probably signed in the autumn of 1134, when the king went for the last time to Normandy, and died there.

Geoffrey was raised to the bishoprick of Durham on August 6, 1133. Some authors fix his elevation in 1128; but the history of Durham in the Anglia Sacra gives the

[1] Dugdale's Monast. v. 121.
[2] Ibid. iii. 448.
[3] Rymer's Fœd. (1816), i. 8.
[4] Dugdale's Monast. ii. 617.
[5] Ibid. iv. 538.
[6] Mag. Rot. 31 Henry I., Hunter's ed.
[7] Dugdale's Monast. vi. 240.
[8] Ibid. vi. 1271.
[9] Madox's Exch. i. 56.

former year, and the correctness of this is substantiated by the fact that his signature to the Lincoln charter in 1132 is only "Geoffrey the Chancellor," while that to the grant to Alberic de Vere in 1134 is "Geoffrey the Chancellor, Bishop of Durham." In the great roll of 31 Henry I. also, he is simply styled chancellor; and the bishoprick of Durham is there shown to be in the charge of certain custodes during its vacancy.

In that roll there is an entry, from which it has been argued that he purchased the chancery for 3006*l.* 13*s.* 4*d.* It is there stated that he *owed* that sum "pro sigillo." How far the words used warrant the presumption that this was a fine which he had undertaken to pay for an office of which he had been in possession for seven or eight years, has been discussed in the preliminary chapter of this reign.[1] It is now impossible to come at the real truth, but the probabilities seem to be in opposition to the inference drawn.

That roll shews that he then had the care of the temporalities of the bishopricks of Coventry and Hereford, and of the abbey of Chertsey, during their vacancies; and also the custody of various manors and lands then vested in the crown. From no less than twenty entries of his being excused the payment of Danegeld and other taxes, it appears that he had property in fifteen counties, and that the impositions from which he was thus exempted, amounted to the then large sum of 46*l.* 3*s.* 2*d.*

He does not appear to have been continued in his office of chancellor by King Stephen, and he died at the castle of Durham, on May 6, 1140.

He built the castle of Alverton, and gave it to his nephew (or son), who married a granddaughter of the Earl of Albemarle.[2]

[1] See p. 82.

[2] Godwin de Præsul. 734.; Le Neve, 347.; Madox's Exch. i. 56. 62. 206. 297. 306. 457., ii. 472.

SALISBURY, Bishop of. *See* Roger.

VERE, ALBERIC DE.

? Just. Angl. 11...

The father of Alberic de Vere was a Norman baron of the same name, who accompanied King William on his conquest of England, and who received for his reward Kensington and other lordships, which are noted in Domesday Book. His mother was Beatrice, daughter of Henry, castellan of Bourbourg, and niece and heir of Manasses, Count of Ghisnes.

The priory of Colne in Essex was founded by them in the early part of the reign of Henry I., whose charter of confirmation is dated in the year 1111.[1] Alberic, the father, lived a few years after this time, and taking the habit of a monk, was buried in the priory. His eldest son Geoffrey died in his lifetime[2]; but he left four other sons, Alberic, Roger, Robert, who became constable of England, and William; and a daughter Rose, the wife of Geoffrey de Mandeville, Earl of Essex.

The first mention that occurs of Alberic Junior, as he was called, is in a charter of King Henry, granting power to the Prior of Christchurch, or the Holy Trinity, in Aldgate, London, to inclose a way near the church, addressed "To Richard, Bishop of London, and Albericus de Vere, sheriff, and all his barons and lieges of London."[3] Stow also mentions that Henry sent "his sheriffs, to wit, Aubrey de Vere, and Roger, nephew to Hubert," to invest that priory with the soke of the English Knighten Guilde, in pursuance of his charter addressed to the same bishop, and witnessed by Queen Adelisa. This, therefore, must have been between

[1] Dugdale's Monast. (1846), iv. 99, 100.
[2] Ibid.
[3] Ibid. vi. 155.

1121, when Adelisa was married, and 1127, when Bishop Richard died. The office of sheriff or portgrave of London corresponded with that of the present mayor, but was in those times one of considerable dignity, and held by persons of high rank. His name also appears, without the addition of any title, and after that of his brother Robert, to a charter of King Henry to Walter, Abbot of Ramsey, who was not elected to that office till 1133.[1]

Both Dugdale and Spelman introduce him into their lists of chief justiciaries of England; but there does not appear sufficient authority for so designating him. That he acted judicially with the other barons in the Curia Regis, there can be no doubt; and that he shared highly in the confidence of the king, there is as little question. But that he never filled the highest judicial office, the above and other documents that remain afford strong presumptive evidence.

In the ancient Exchequer roll of 31 Henry I. (1130), he appears to have had, in conjunction with Richard Basset, the control over the eleven counties of Surrey, Cambridge, Huntingdon, Essex, Hertford, Northampton, Leicester, Norfolk, Suffolk, Buckingham, and Bedford, as sheriff or fermour; but Richard Basset's name invariably stands first. That this was an office of at least as much trouble as honour, appears from the fact that he fined, in the same year, to be relieved from the burden in Essex and Hertfordshire. The preceding entry, that he was charged with 550*l.* and four war horses for the escape of a prisoner, shews, perhaps, the cause of his retirement.

In 1134, King Henry granted to him and his heirs the office of his Magistra Cameraria, great chamberlain, of all England. The first witness to this grant is Roger, the Bishop of Salisbury, evidently then holding the chief office of the kingdom.

[1] Madox's Exch. i. 757.

Alberic was present as chamberlain at the general council held the first year of Stephen; and when that king, in the fourth year of his reign, was summoned to a council by the Bishop of Winchester, to answer for having seized the old Bishop of Salisbury, and his nephew Alexander, Bishop of Lincoln, and confiscated their property, he sent Alberic de Vere to defend him, as one experienced in those matters. This, however, required more of policy than law, and his attendance in the Curia Regis would sufficiently instruct him in the latter. The selection, however, by no means proves him to have been chief justiciary at the time; and William of Malmesbury's designation of him as "Albericus *quidam* de Ver, homo causarum varietatibus exercitatus," and as "causidicus Albericus," certainly bears no appearance that he was so.

He was killed in London on the ides of May, 1140, probably in performing some of his duties as portgrave of the City. A quære is raised by Spelman whether there were not two Alberics, one the earl and the other the portgrave; but he suggests no adequate reason for the doubt.

He married Adeliza, the daughter of Roger de Yvery, who came over with William the Conqueror, and whose son Roger was chief butler to William II. She increased his possessions by certain lands in Islip, Hedyngton, and Drayton, which were all she was suffered to inherit on the death of her brother without issue.

Alberic, their eldest son (the third of that name), was created Earl of Oxford in 1155. The ninth earl was advanced first to the title of Marquis of Dublin in 1386, and next to that of Duke of Ireland in 1387. He forfeited his honours; but the earldom was granted to his uncle. On the death of Aubrey, the twentieth earl, without issue, in 1702, the title became extinct; but the office of great chamberlain had, by the death of Henry, the eighteenth earl, without

issue, passed with his aunt Mary to the family of Bertie, Baron Willoughby de Eresby, afterwards Earls of Lindsey, and Dukes of Ancaster; whose representatives, through two daughters, the present Baron Willoughby de Eresby and the Marquis Cholmondely, are now joint Great Chamberlains of England.[1]

WALDRIC.

CHANCELLOR, 1104.

THE name of Waldric appears as chancellor to the concord between the Abbot of Fescamp and Philip de Braiosa made at Salisbury on January 13, 1103–4[2]: so that he succeeded William Giffard on his discharge from the office. There are four other documents of this reign in the Monasticon[3], attested by him in the same character, which, though bearing no date, must have been executed about this time. He is introduced at the same period by Thynne, Philipot, and Spelman.

In 1106 a charter occurs, granted to the church of Tewkesbury, one of the signatures to which, immediately following the king's, is that "Walteri, Cancellarii:"[4] and the same signature is added to another charter granted to the priory of Thetford, which is dated at Ramsey, *in transitu Regis*, on February 14.[5] The year is not mentioned, but it probably was signed when the king went to Normandy, in the same year.

No author notices such a chancellor as Walter, and the name only occurs on these two occasions. It may fairly be

[1] Stow's London, 116.; Morant's Essex, ii. 292.; Madox's Exch. i. 13. 56. 164. 327. 458.; Mag. Rot. 31 Henry I., Hunter's ed.; Spelman's Gloss. *Justiciarius*; Dugdale's Baronage, i. 188.; Leland's Coll. i. 129.

[2] Dugdale's Monast. (1846), vi. 1083.

[3] Ibid. i. 164., vi. 1106. 1273.

[4] Ibid. ii. 66.

[5] Ibid. v. 149.

presumed, therefore, that they are merely errors, either of the scribe or the printer, in substituting them for Waldric.

In the notice of Galdric, the chancellor under William II.[1], it is suggested that he may be the same as this Waldric; and an account is given of his taking Duke Robert at the battle of Tenchebrai, and being rewarded with the bishoprick of Llandaff. It will be observed that all the above-mentioned instruments were executed before that battle, which was fought on September 28, 1106, and that the last of them was probably dated before embarking on the expedition against Duke Robert.

That the name neither of Waldric nor of Galdric occurs at any subsequent date, and that Ranulph soon after appears as chancellor, if affording no positive confirmation, at least offer no contradiction to the suggestion.

WINCHESTER, Bishop of. *See* William Giffard.

[1] See p. 67.

STEPHEN.

Reigned 18 years and 10 months; from December 26, 1135, to October 25, 1154.

SURVEY OF THE REIGN.

THE distractions of this reign, caused and continued by the most disgusting perjuries of the nobles and the clergy, left no opportunity for improvement in the law, and destroyed most of the records of its proceedings. Even the solemnisation of the great festivals was discontinued, and after the first four or five years of the reign the royal courts were no longer held.[1]

The chancellors of King Stephen, according to Spelman, are six in number; according to Thynne, Philipot, Hardy, and Lord Campbell, five; while Dugdale mentions only three; all varying in an extraordinary mannner. Few charters of the reign are extant in print, but from these some approach to a correct list may be obtained.

ROGER, surnamed PAUPER, the nephew, or rather the son, of Roger, Bishop of Salisbury (with whom Thynne and Philipot evidently confound him), was chancellor both in the earlier and later part of the first year of the reign. One charter to which his name is affixed as chancellor is dated 1135, and therefore must have been granted between the king's coronation on December 26 in that year, and the 25th of March following: and two other charters occur, one dated at West-

[1] Madox's Exch. i. 14.

minster at Easter, 1136; and the other, being the charter of liberties, dated in the same year at Oxford. He is again named as chancellor in a charter of 1138; and his official career was closed by his seizure and imprisonment in June, 1139.[1]

PHILIP was probably his immediate successor; but his continuance in office is uncertain There is, however, a charter witnessed by him, which could not have been dated later than 1148, or perhaps than 1144.[2] His services, in all likelihood, ceased on the king's capture in 1141.

The Empress Matilda landed in England at the end of September, 1139, and pursued her claim to the crown with various fortune till February, 1141, when her troops obtained a decisive victory at Lincoln, and Stephen was taken prisoner. He remained in confinement from that time till November following, when he was exchanged for Robert, Earl of Gloucester, Matilda's brother. During the greater part of that interval, the empress's rights were generally acknowledged, and she exercised undoubted sovereignty; and even until her withdrawal into Normandy in 1147, her authority was recognised in some of the English counties. Two of her charters, both dated Oxford, and therefore probably granted in the year 1142, bear the attestations respectively of "T. Cancellario Archiepiscopo" and "W. Cancellario."[3] The former was Theobald, Archbishop of Canterbury; and the latter was William, the brother of John Fitz-Gilbert; after whom she had granted the reversion of the office in favour of William de Vere, the brother of Alberic, Earl of Oxford.[4]

The only other of King Stephen's chancellors whose

[1] Dugdale's Monast. (1846), ii. 842., iii. 406.; Madox's Exch. i. 13.; Appendix to Reports of Record Commissioners.

[2] Dugdale's Monast. ii. 146.

[3] Ibid.

[4] Hardy's Catalogue.

name appears upon any charter is ROBERT DE GANT. One of them must have been dated between 1139 and 1151.[1]

Of the three other persons who are chronicled as chancellors by the authors above cited, the following remarks will be deemed sufficient to justify the exclusion of their names.

1. ROGER, BISHOP OF SALISBURY, is named by Thynne and Philipot; but manifestly mistaking him for his son or nephew, Roger Pauper. In all the three charters of 1 Stephen before referred to, both of their names appear, the one as bishop, the other as chancellor.

2. ALEXANDER, BISHOP OF LINCOLN, nephew of Roger, Bishop of Salisbury, is also inserted in the lists of Thynne and his followers, upon the authority of William of Newbury. But that writer does not mention his name; and the fact related in the passage cited applies to Roger, who is there called the nephew of the bishop. Lord Campbell adds another reference to the *Parliamentary History*, where, however, the name of the chancellor, instead of being Alexander, turns out to be Roger.[2]

3. REGINALD, or REINOLD, ABBOT OF WALDEN, Thynne declares he has seen termed chancellor "in one anonymall brief-written chronicle." The value of this authority may be estimated by the fact that the priory of Walden was not erected into an abbey till the year 1190, and that Reginald was not even prior till 1164.

The holder of the great seal seems to have advanced in importance, to judge from his more prominent position among the witnesses to the charters of this reign, in which he takes precedence before the earls, and after the bishops.

The office of chief justiciary is stated by Ordericus Vitalis to have been held by ROGER, BISHOP OF SALISBURY, at the beginning of this reign.[3] Though no record occurs in

[1] Monast. vi. 820. [2] Parl. Hist. i. 5. [3] Madox's Exch. i. 33. 9.

which that title appears, there is no doubt that, whether in this office or in that of treasurer, he was at first treated by the king as his prime minister. It is evident, however, that he had lost his influence before his seizure at the Council of Oxford in June, 1139; and his death happened a few months afterwards.

From this period till the accommodation between the king and HENRY, DUKE OF NORMANDY, in November, 1153, when, according to Hoveden, the latter was invested with the office of chief justiciary[1], no person appears to have filled it. It should be remarked, however, that, notwithstanding Hoveden's assertion, the Convention itself contains no such appointment, but in it, on the contrary, the king expressly reserves to himself the exercise of the royal justice.[2]

Little attention to their judicial duties could be expected from the barons as members of the Curia Regis, during a period of internal rebellion; when they were either siding with one or other of the conflicting parties, or carrying on their own local aggressions or defences. The law itself was an useless weapon against the invasion of power; the strong and unprincipled took advantage of the universal disorder; the weak were without remedy; and the whole kingdom, during the continuance of this reign, was in a state of lawless confusion. Scarcely a record consequently remains in which the name of a justiciary appears.

Madox quotes a writ in favour of the Dean of St. Martin's, London, addressed, "Ricardo de Luci, Justic. et Vicecomiti de Essexâ;" which that learned and industrious writer adduces as evidence that he was chief justiciary. I very much question, however, whether it can be considered as bearing that interpretation. The writ has reference to the dean's property at Malden in Essex, and is merely addressed

[1] Madox's Exch. 34. s.

[2] Lord Lyttelton's Henry II. i. 541.

to Richard de Luci as sheriff of that county, having a judicial as well as a ministerial character, as all sheriffs had. The word "Justiciarius" had lately come into more common use, and had a looser signification than that to which it was afterwards limited; as we have seen in the charter to Milo of Gloucester, in which the king covenanted with him "sicut Justiciario et Baroni meo." The utmost, however, which this writ can be deemed to prove (even if it goes so far) is, that Richard de Luci was *one* of the king's regular justiciers; for there is nothing to show that he was the chief.

TABLE OF CHANCELLORS AND CHIEF JUSTICIARIES, OR JUSTICIARIES.

A.R.	A.D.	Chancellors.	Chief Justiciaries, or Justiciaries. The latter marked ?
I.	1135	Roger Pauper	Roger, Bishop of Salisbury.
IV.	1139	Philip	
	?	Robert de Gant	
XVIII.	1153, Nov.		Henry, Duke of Normandy.
			? Richard de Lucy.

There is no evidence of the appointment of any justices itinerant under Stephen; and the discontinuance of the circuits would be a natural consequence of the perpetual state of intestine commotion in which the kingdom was involved.

BIOGRAPHICAL NOTICES

OF

THE JUDGES UNDER THE REIGN OF STEPHEN.

ALEXANDER, Bishop of Lincoln.

? Chancellor, 11. . .

Alexander was the nephew of Roger, Bishop of Salisbury, being a son of one of his brothers. He was born in Normandy, and, with such a connection, soon received advancement in England. Roger first appointed him archdeacon in his own diocese, and at Easter, 1123, he was advanced to the bishoprick of Lincoln. His cathedral being soon after accidentally destroyed by fire, he rebuilt it with the greatest magnificence, increasing the number of prebends, and handsomely endowing them. He emulated his uncle in the erection of three castles, those of Banbury, Sleaford, and Newark; the last of which he was incautious enough to declare was designed as much for the security as the dignity of the church. When King Stephen became jealous of the power of the clergy, he shared in his uncle's disgrace, and was compelled to pay the same penalty, that of surrendering his castles to the monarch. The defenders of that of Newark, however, resisted the royal power, and could not be prevailed upon to deliver it up, until they found that the king had sworn that the bishop should not taste food so long as they held out. Even after their submission, the bishop was kept in prison for some time; and when he at last was liberated, he quitted the strife of politics, and devoted himself and his property to his

religious duties and the improvement of his see. He took two journeys to Rome, and so pleased both the king and the pope by his conduct, that he was appointed legate from the latter in England; where he convened a synod, and passed some useful canons for repressing the enormities of the times. In 1147 he made a third visit to the pope, then in France, but, being seized with sickness, he had scarcely time to return ere he died, in the month of August; having presided over the see of Lincoln for twenty-four years.

Besides the above proofs of his munificence, the hospital of St. Leonard at Newark, the priory of Haverholm in Lincolnshire, and the abbeys of Dorchester and Thame in Oxfordshire, acknowledged him as their founder.

Henry of Huntingdon, who dedicated his History to him, paints him in glowing colours in some verses while living, and in his epistle *De Mundi Contemptu* when dead.

His introduction into Thynne's and Dugdale's list of chancellors under King Stephen is founded on a passage in William of Newbury; in which, however, no name occurs, and the fact referred to evidently applies to the fate of his cousin Roger, the son, or, as he was often called, the nephew of the bishop, and an undoubted chancellor. No charter or other record mentions Alexander as chancellor.[1]

BEVERLEY, PROVOST OF. *See* ROBERT DE GANT.

GANT, ROBERT DE, PROVOST OF BEVERLEY, and DEAN OF YORK.

CHANCELLOR, 11. . .

PHILIPOT, following Thynne, names a Robert as chancellor to Stephen, without any surname; and has evidently taken

[1] Godwin de Præsulibus, 284.; William of Malmesbury, 715, 716. 744.; Angl. Sac. ii. 700.; Dugdale's Chron. Ser.; Thynne; Thoroton's Notts. i. 389. 398. 406.

very little pains to discover it: Spelman adds the surname, but neither Dugdale nor the author of the Lives of the Chancellors (1708) mention him. Madox, however, gives the copy of a charter of King Stephen's, dated "apud Niwetoniam," granting the burgh and castle of Hereford, &c. to Robert, Earl of Leicester[1]; the first witness to which is Robert de Gant, chancellor. Another witness to this charter is William, Earl of Lincoln, who acquired that title in 1142, and died about 1152. "Robert the Chancellor" is also the first witness to a grant of the church of Langeford made by that king to the Templars[2], which must have been dated between the years 1139 and 1151.

There were two Roberts de Gant who were alive about this time, the uncle and nephew. The former was the second son of Gilbert, the first baron of that name, (son of Baldwin, Earl of Flanders or Gant), by Alice de Montfort; the latter was the second son of Walter de Gant, the second baron, by Matilda, the daughter of Stephen, Earl of Brittany and Richmond. In the absence of any decisive authority, I think the presumption to be drawn from facts and dates is, that the uncle was the chancellor. He preceded Becket as Provost of Beverley[3], and was Dean of York in 1148, and probably was raised to that dignity when his predecessor, William de St. Barbara, became Bishop of Durham, in 1142. He was succeeded in the deanery in 1153[4], which was doubtless the date of his death. The nephew lived till 1192, and was the ancestor of Maurice de Gant, who will be noticed as a justice itinerant under Henry III.[5]

[1] Madox's Exch. ii. 138.
[2] Dugdale's Monast. vi. 820.
[3] Dugdale's Monast. vi. 1307.
[4] Proceedings of Archæological Inst. at York; Priory of Holy Trinity, 59. 110.
[5] Ibid. 59. &c.; Dugdale's Baronage, i. 402.

HENRY, DUKE OF NORMANDY, afterwards KING HENRY II.

JUST. ANGL. 1153.

HENRY was the eldest son of Geoffrey, Earl of Anjou, by the Empress Matilda, daughter of King Henry I. Being born in March, 1133, he was but an infant during the contest between his mother and King Stephen. On the death of his father in 1150, he succeeded to the earldom of Anjou, and by consent of his mother assumed the title of Duke of Normandy. Having then attained the age of sixteen, he resolved to recover the English throne which his mother had lost. He accordingly received the honour of knighthood from his uncle David, King of Scotland; and strengthened himself by a politic marriage with Eleanor of Poitou, the divorced wife of Louis, King of France, acquiring with her the extensive duchy of Aquitaine. On his landing in England shortly after, his standard was joined by such of his mother's former adherents as survived, and by all those who were desirous of terminating the state of anarchy which prevailed throughout the kingdom. The contending armies met at Wallingford; but by the intervention of wise counsellors they parted without bloodshed, and an arrangement was effected between Stephen and Henry, by which it was agreed that the former should not be disturbed in his rule during his life, and that Henry should succeed him at his death. This treaty was concluded on November 7, 1153; when Stephen is said to have constituted Henry Chief Justiciary of England under him. He did not, however, long perform the duties of this office, as he returned to Normandy at the following Easter, and remained there till after Stephen's decease, which occurred on the 25th of the ensuing October.

This is not the proper place to record the incidents of the

life of King Henry II. It is sufficient to state that after a reign of more than thirty-four years, he died at Chinon on July 5, 1189.

LINCOLN, BISHOP OF. *See* ALEXANDER.

LUCI, RICHARD DE.

? JUST. ANGL. 11...

See under the Reign of Henry II.

NORMANDY, DUKE OF. *See* HENRY.

PAUPER, ROGER.

CHANCELLOR, 1135.

ROGER, surnamed Pauper, was the son of Roger, Bishop of Salisbury, the great minister of Henry I., and of Matilda of Ramsbury, whom some authors call his wife, and some his concubine. Considering, however, the high character of this prelate both for piety and prudence, and that he held so prominent a position in the state, it is scarcely to be believed that he would disgrace himself by having such a companion in his establishment; for she was openly living in his castle of Devizes when it was attacked. The more natural, as well as the more charitable presumption therefore is, that he had been legally united to her, and that he had refused to obey the canons which were then attempted to be enforced, enjoining married priests to put away their wives.

No circumstances of his early life are recorded; but there are three documents proving that he was chancellor in the first year of Stephen's reign, viz., a charter to the nunnery of Shaftesbury, dated at Gillingham in 1135[1], therefore within the first three months after the king's coronation; another to Robert, Bishop of Bath, granted at the general council held at Westminster in the following Easter[2]; and a third,

[1] Dugdale's Monast. (1846), ii. 482.

[2] Madox's Exch. i. 13.

being the charter of liberties, dated near the same time at Oxford[1]; to all of which the attestation of his father, the bishop, is also attached.

In 1138 he was witness to a charter of confirmation to the priory of Eye in Suffolk[2]; and in July, 1139, he was still chancellor, when he and his father were seized by Stephen at Oxford. The manner in which he was carried in fetters before the castle of Devizes, and threatened with instant death unless it was surrendered to the king, is more fully related in the subsequent life of Bishop Roger. His mother Matilda's feelings, on seeing her son degraded and led as a criminal to the foot of the gibbet, may well be conceived; and some authors assert that it was only by her surrendering the keep, that the bishop's nephew, the Bishop of Ely, was at last compelled to deliver up possession of the castle itself.

Although the bishop was released when the castle was taken, the king kept the chancellor in confinement; and for a long time refused to give him his liberty unless he would join the court party; an offer which he invariably rejected. At last, however, he procured his freedom, on condition that he retired from the kingdom. His exile continued during the remainder of his life, and history is silent as to its close.[3]

PHILIP.

CHANCELLOR, 1139.

NONE of the authorities record anything more of Philip than that he was chancellor under Stephen, and that his name appears in that character as witness to certain grants made to the church of Ely, and to Nigel, its bishop; none of which, however, are printed in the Monasticon. He is generally

[1] Appendix to Reports of Record Commissioners.

[2] Dugdale's Monast. iii. 406.

[3] Madox's Exch. i. 14.: Godwin de Præsul. 341.; Roger de Wendover, ii. 26.

mentioned as the successor of Roger Pauper, who was removed from the office in 1139; and a charter to the monastery of St. Frideswide (Christchurch), Oxford, one of the witnesses to which is "P. the chancellor,"[1] seems to corroborate this account; as it must have been dated before 1148, and perhaps before 1144.

The author of the Lives of the Chancellors (1708) is evidently mistaken in saying that he held it till Becket was appointed, in the next reign; as Robert de Gant was certainly chancellor during part of the interval.

REGINALD, Abbot of Walden.

? Chancellor.

The only authority for introducing Reginald, Abbot of Walden, among the chancellors of this reign, seems to be "one anonymall brief-written chronicle," in which Thynne and his copyist Philipot say, that they have seen him so termed. How far this information is correct may be judged from the fact, that Walden did not exist as an abbey till the year 1190, previously to which date it was only a priory. Although Reginald was the first abbot and the last prior, he did not attain even the latter dignity till 1164, ten years after Stephen's death.[2]

ROGER, Bishop of Salisbury.

Just. Angl. 1135.

See under the Reign of Henry I.

Roger is first introduced to the notice of historians as curate of a small church in the neighbourhood of Caen, and as in-

[1] Dugdale's Monast. (1846), ii. 146.; Philipot; Lives; Dugdale.
[2] Philipot, 11.; Browne Willis's Mitred Abbeys.

gratiating himself with Henry by the celerity with which he despatched the service when the Prince and his followers chanced to be present. From that time he became attached to the fortunes of the Prince, who, though the apparent motive for the selection was not very commendable, had no reason to regret in after years the confidence he reposed in him.

Roger became an active and zealous servant, and, by the dexterous management of whatever business he was engaged in, so endeared himself to Henry during his adversity, that when he mounted the throne of England, he not only enriched him with many preferments, but advanced him to the highest employments; thus at the same time deriving benefit from his wisdom and experience, and rewarding his industry and devotion.

At the end of the first, or the beginning of the second year of Henry's reign, he was appointed chancellor, succeeding William Giffard. Thynne, and after him Spelman and Philipot, place him in the same office in 1107, and again at the end of the reign. But, taking the charters as the best authority, it appears from them that he did not retain the Great Seal long after he was appointed Bishop of Salisbury, which was on April 13, 1102. In the Monasticon there are six charters with his name as chancellor, four of which are before he was bishop, the earliest being dated in September, 1101, and two only with the addition of his episcopal title.[1] In March, 1103, William Giffard was again in office, and from that time to the end of the reign there is a regular succession of other chancellors.

Whatever was the position he held in the state, there is little doubt that from a very early period the whole of the business of the kingdom was submitted to his care, the treasures were in his keeping, and the expenses under his regulation. That

[1] Dugdale's Monast. (1846), i. 164. 521., ii. 145., iv. 16, 17., vi. 1114.

he was well versed in the knowledge of the Exchequer is proved by the author of the ancient *Dialogus de Scaccario*, Richard Fitz-Nigel, who, though his grand-nephew, yet writing nearly forty years after his death, may be fairly trusted when describing his official character. He calls him "vir prudens, consiliis providus, sermone discretus, et ad maxima quæque negotia per Dei gratiam repente præcipuus;" and adds, "Hic igitur, succrescenti in eum principis, ac cleri, populique favore, Sarisburiensis Episcopus factus, maximis in regno fungebatur honoribus, et de Scaccario plurimum habuit scientiam: adeo ut non sit ambiguum, sed ex ipsis Rotulis manifestum, plurimum sub eo floruisse."

Part of his duty as chancellor was to attend to the business of the revenue, but it was peculiarly so in the offices of treasurer and chief justiciary or president of the Exchequer, in which he was afterwards placed. It is probable that he was not invested with the latter till the year 1107; because, having been offered that charge immediately after his appointment to the prelacy, he would not consent to accept it, deeming a judicial office incompatible with his episcopal functions, without the authority of the pope and the archbishop. Although, therefore, his election to the bishoprick took place in April, 1102, yet, being one of those whose consecrations were in abeyance pending the contest between the king and Anselm, his scruples could not be removed till that dispute was accommodated. This did not occur till 1107, on August 11 in which year his consecration took place.

From this period, therefore, we may consider him in full power; presiding over the administration of justice, and regulating the revenue of the realm, and the affairs of the state. The suppression of those violations of the law which were prevalent in the last reign, the improvement in the purity of the coin, the punishment of the oppression of the royal purveyors, were the results of his wise and considerate

counsels; and though the whole government of the kingdom was entrusted to him in the frequent and long-continued absences of the king in Normandy, no contemporary historian hints a doubt of his integrity, and no fact is recorded which can raise a suspicion that his ministry was distasteful to the people.

His conduct was equally satisfactory to his sovereign, who never withdrew his confidence nor neglected to bestow upon him substantial marks of his favour. Among others, his two nephews, Alexander and Nigel, were invested with the bishopricks of Lincoln (in 1123) and Ely (in 1133): and to his own care was entrusted the safe custody of the king's brother Robert, the captive Duke of Normandy. That prince was only removed in 1126 from the bishop's castle at Devizes, and placed for greater security in that of Cardiff, under the care of Robert, Earl of Gloucester, at a time when King Henry was anxious to ensure the succession of the kingdom to his daughter the Empress.

Roger not only joined with the other nobles in taking the oath of fealty to Matilda on this occasion, but overcame the scruples of some who were unwilling to do so. Yet no sooner was King Henry dead, than setting aside his oath, from which he pretended the subsequent marriage of the Empress with Geoffrey, Earl of Anjou, without the consent of the peers, had absolved him, he aided Stephen in his assumption of the crown. How far the state of the times will justify his ingratitude and perjury, or what were his ultimate intentions with regard to Matilda, we have not the means of determining. It is certain, however, that Stephen entertained doubts of his fidelity, which he at first endeavoured to secure by numerous favours.

He continued him in some of his offices, either as chief justiciary or treasurer, and presented him with the borough of Malmesbury; conferring also on his son Roger the office

of chancellor. Thynne and some others place the bishop himself as chancellor in the early part of Stephen's reign: but they evidently confound him with his son Roger; as both their names appear on three charters of the first year; the one being designated as bishop, and the other as chancellor.

The king's jealousy, however, was at last excited by the representations made to him that the magnitude and strength of the castles built by the bishop at Devizes, Malmesbury, and Shirburn, and the additions he had made to that of Salisbury, were intended to support the cause of Matilda, whenever he should find an opportunity to declare for her. Whether the king really believed these suggestions, or whether, being now, as he imagined, firmly seated on the throne, he forgot the assistance he had received in his anxiety to obtain possession of the bishop's wealth, may well be doubted. He determined, however, to seize his castles and his property on the first opportunity. This was soon contrived. In June, 1139, the reluctant bishop was compelled to attend a council at Oxford; where, on a pretended quarrel between his servants and those of the Earl of Brittany, the king required him, in satisfaction for the breach of the peace, to give up his castles as pledges of his fealty; and thereupon committed him and his son Roger, the chancellor, and his nephew Alexander, Bishop of Lincoln, to close custody, until this should have been done. His other nephew, Nigel, Bishop of Ely, suspecting to what these proceedings tended, fled, and shut himself up in his uncle's castle of Devizes, which he refused to surrender. The king immediately marched thither, taking his prisoners with him; and, having erected a gibbet in front of the walls, pronounced in the presence of Bishop Roger sentence of death upon his son, which he declared should be forthwith executed unless the gates were opened to him. Nigel,

regardless of the entreaties of his uncle, persisted notwithstanding in his refusal; and the king directed the sentence to be executed. The victim ascended the scaffold, and the rope was adjusted, when Bishop Roger, horrified that his son should be so murdered, threw himself at the king's feet, and bound himself by an oath, if his son were saved, to taste no food till the royal mandate was obeyed. Nigel at last unwillingly submitted; but not till his uncle had endured three days' fast.

The king, on taking possession of the castle, appropriated to his own use a treasure of 40,000 marks, besides an immense quantity of plate and jewels which he found there.

A council was held at Winchester to examine into this extraordinary affair, and others of a similar character affecting the bishops and clergy; at which Bishop Roger made his last appearance in public life. The king was represented at it by certain earls, and his claim was defended by Alberic de Vere, then renowned in the law. Nothing, however, could be done against the power of Stephen, who retained the possessions he had thus acquired.

The unfortunate bishop, either through grief at his loss, or from the effect of his long fasting, was soon after seized with a quartan ague, of which he died on December 4, 1139. As his death approached, he directed the small remainder of his wealth to be placed on the altar of his church, devoting it to the completion of the building: but even this he had the mortification of hearing was seized and taken away by the king's orders.

While in the conduct of public business, he is stated to have invariably devoted his mornings to the performance of his episcopal duties; and he grudged no expense in the renovation and ornament of his cathedral. He was seated at Salisbury more than thirty-two years; his remains were deposited there; and his memory was regarded with such

high estimation that he is usually named with the addition of "Magnus."[1]

SALISBURY, BISHOP OF. *See* ROGER.
WALDEN, ABBOT OF. *See* REGINALD.
YORK, DEAN OF. *See* ROBERT DE GANT.

[1] Madox's Exch. i. 33. 78., ii. 381.; Godwin de Præsul. 337.; Angl. Sac. ii. 700.; Roger de Wendover, ii. 183. &c.; William of Malmesbury, 636. &c.; Lord Lyttelton, Lingard, &c.

HENRY II.

Reigned 34 years, 6 months, and 18 days; from December 19, 1154, to July 6, 1189.

SURVEY OF THE REIGN.

THE slightest inspection of the "Tractatus de Legibus et Consuetudinibus Regni Angliæ," which was composed towards the end of this reign, is sufficient to prove that the law was at this time reduced to a system, the knowledge of which would require more learning than could be expected from the hereditary barons; and that its principles were too difficult and its ramifications too various for them to have leisure to study.

A great change is consequently observable in the construction of the Curia Regis in the latter years of the reign. It was no longer confined to the barons of the realm and the officers of the palace; but upon the records that have come down to us, the names of other persons appear as being present and taking part in the proceedings.

The adoption at the Conquest of the laws of Normandy had rendered necessary the assistance of advocates from that country. The gradual combination of these with the English laws, and now the application of the Roman law, many of the forms of which had been introduced into this island, had so materially increased the complexity of the study, that it could only be pursued as a separate profession; requiring not merely that the advocates should be persons of learning and ability, but also that the judges should be masters of the science, and be selected from the most eminent among them.

The persons who principally devoted their time to the attainment were naturally the clergy; and it consequently seems to have been the custom in this reign, either to raise the officers of the court, who were usually ecclesiastics, to preferments in the church; or to appoint certain of the dignified clergy to perform the judicial duties. The prevalence of both practices will be apparent in the following list of chancellors and justiciers; among whom, without noticing their intervening steps in the church, will be found five archbishops; viz., Becket, and Hubert Walter, of Canterbury; Geoffrey Plantagenet, of York; John Cumin, of Dublin; and Walter de Constantiis, of Rouen: — eight bishops; viz., Richard Fitz-Nigel, of London; Richard Tocliffe, and Godfrey de Luci, of Winchester; Nigel and Geoffrey Ridel, of Ely; John of Oxford, of Norwich; Sefred, of Chichester; and Guy Rufus, of Bangor: — three abbots; viz., Clarembald, of St. Augustine's, Canterbury; Aymer or Daniel, of Chertsey; and Samson de Totington, of St. Edmund's: — eight archdeacons; viz., Robert de Inglesham, of Gloucester; Josceline, of Chichester; Walter Map, of Oxford; Hugh Murdac, of Cleveland; Ralph, of Colchester; Ralph, of Hereford; Nicholas de Sigillo, of Huntingdon; and William, of Totness: — besides Ralph de Warneville, treasurer of York; Wimer and Reginald de Wisebec, two of the king's chaplains; and Master Thomas de Husseburn, a canon of St. Paul's.

Henry is said to have attended personally at the judgment of all greater causes in his court, and to have made frequent progresses to discover and remedy the abuses in the rural jurisdictions.[1] His anxiety on this subject is particularly exemplified in the commissions he issued in 1170 for the investigation of charges brought against the sheriffs and his other officers.

[1] Lord Lyttelton's Henry II., ii. 16.

Besides the great roll of the Exchequer, called also the Pipe Roll, of which some notice has been taken under the reign of Henry I., there was another copy kept of the sheriff's returns, &c., for the chancellor, which was called the Chancellor's Roll. The two were to correspond exactly; but though they are substantially the same, they contain some slight variations; and the entries in one frequently serve to explain those in the other. Being considered only as transcripts, less care was taken of them, and the series is not so complete as that of the pipe roll. The Commissioners of Public Records having recovered several, have placed them in the British Museum, commencing with that of the eleventh year of this reign.[1]

According to the MS. laws of Henry II., which remain in the Red Book of the Exchequer, the Terms were at first settled in the manner in which they were left by Henry I., with the extension of the Lent vacation to fifteen days after Easter. But when Ranulph de Glanville was appointed chief justiciary, the king, by his advice, expressly ratified the laws of Edward the Confessor and William the Conqueror; and accordingly, we find in Glanville's Treatise writs made returnable in Octabis or Clauso Paschæ, according to the old arrangement.[2]

It is curious that, although the law had made so considerable an advance under Henry II., and the history of his reign has been more extensively illustrated than those of his predecessors, the list of his chancellors is considerably less complete. The Monasticon gives no less than forty-three of his charters with chancellors as witnesses; but there are only three names among them all; and as not one has any date, considerable labour of investigation is required to find

[1] Preface to Rotulus Cancellarii, 3 John, which the Commissioners have published.

[2] Spelman's Reliquiæ, Origin of the Terms, 81.; Glanville, lib. ii. cap. 11.

the year in which they were respectively granted. Making every allowance, there are more than ten years to which no name of a chancellor can be attached.

While Henry was only Duke of Normandy he had a chancellor named William, by whom two charters are attested, one of which, dated at Gloucester, is a grant to the priory of Stoneley in Warwickshire; and the other, without date, to the abbey of Trouarn, in Normandy. It does not appear who this William was.

During the interval between Stephen's death, on October 25, 1154, and Henry's coronation, on December 19, no evidence exists to show by whom the great seal was held; nor is there any *positive* proof in whose possession it was even in the first year of the reign.

The date given by Roger de Wendover[1] for THOMAS BECKET'S appointment as chancellor is 1155; but he leaves it uncertain, by using the indefinite words "eodem tempore," at what period of the year it took place. Dugdale's date of 1157 is proved to be wrong by the entries on the pipe roll of 2 Henry II., 1155-6, in which Thomas the chancellor is frequently mentioned: and showing as they do that he was then in the office, an inference may be drawn from them that he held it in the first year also. The loss of the roll of that year deprives us of the substantial testimony which it would afford; but, remembering that these rolls were made up to Michaelmas in each year, that of the second year must necessarily contain part of the accounts of the first. The chancellor in those times was always officially excused from the Danegeld and other amerciaments on his property: and as the sheriff could seldom make up his return within the year, many of the charges of this nature introduced into the roll of one year would relate to the impositions of the pre-

[1] Vol. ii. 281.

ceding. The same remark is applicable to the payments on assizes and pleas before him. If, therefore, as the fact is, there are numerous entries of this class in the roll in question, and the name of no other chancellor is mentioned, it seems an inevitable consequence that Becket was chancellor in the first year of the reign, and that no one preceded him in the office. This presumption is supported by the fact that in the rolls of 3 & 4 Henry II. precisely the same course is adopted.

Becket was raised to the archbishoprick of Canterbury in June, 1162, 8 Henry II.; and before the end of that year he resigned the great seal into the king's hands.

RALPH DE WARNEVILLE is the next chancellor whose name appears upon any charter.[1] His appointment is fixed by Roger de Wendover in the year 1173, 19 Henry II., thus leaving an interval of eleven years since the resignation of Becket. He is the first witness to two charters, dated at "Juliam Bonam" (Lillebone), one in favour of the abbey of St. Victor, at Caux, and the other of that of St. George, at Bockerville, in Normandy; and he subscribes both as chancellor.[2] There is nothing to show how long he continued in office; but it is not improbable that he retained the seal till

GEOFFREY PLANTAGENET, the natural son of the king (the third chancellor recorded in the chartēs), received it from his father on being called upon to resign the bishoprick of Lincoln, which occurred in the year 1181. That

[1] There is a charter of Henry II. to the monastery of Rumsey in Hampshire, contained *per inspeximus* in one of 8 Edward I., which must have been granted between the years 1154 and 1166. It is dated at Sarum, and appears to be witnessed by "Thoma, Cantuar. Archiepiscopo," followed, among others, by "Th. Cancellario." The "Thoma," however, is probably a mistake for "Theob;" if not, there must have been another chancellor named Thomas after Becket's retirement. Dugdale's Monast. ii. 509.

[2] Dugdale's Monast. vi. 1067. 1106.

he filled the office till the end of the reign is shown by an entry in the roll of 1 Richard I., where he is still spoken of as chancellor.

Four other chancellors are, however, named by different authorities; but the claims of none of them are sufficient to justify their adoption.

1. JOHN is placed by Thynne and Philipot *before* Thomas Becket, and by Spelman *after* him. Dugdale omits him entirely; but Hardy and Lord Campbell restore him to the position assigned by Spelman. None of these authors afford any glimpse of the ground upon which his name is introduced, except Thynne, who acknowledges he knows nothing about him, but makes a mysterious allusion to some "streict-laced" individual, who "both can and ought to give life to these persons whom he imprisoneth in the east castell of London."

2. WALTER DE CONSTANTIIS, Archdeacon of Oxford and afterwards Bishop of Lincoln and Archbishop of Rouen, is also omitted by Dugdale, but inserted by the rest, as succeeding Ralph de Warneville, without any quoted authority for so doing. Although mentioned in no history or record as chancellor, both Hoveden and Ralph de Diceto designate him as *Vice-Chancellor* to Ralph de Warneville; and this is probably the origin of the mistake.

3. WALTER DE BIDUN occupies the last place in Dugdale's list, referring to a passage in Leland's Collectanea. This, however, not only fails to prove that he was chancellor of England, but clearly establishes that, if he were, it must have been in the preceding reign. He is there noticed as witness to a grant to the abbey of Holme-cultria, in Cumberland, by Henry, son of David, King of Scotland. This Henry died in 1152, before the accession of Henry II. to the English throne; and Walter de Bidun was *Chancellor of Scotland* for many years.

4. NIGEL, Bishop of Ely, omitted by all the earlier writers, is introduced by Mr. Hardy *after* Geoffrey Plantagenet, whose appointment did not take place till twelve years after Nigel's death. Nigel certainly had held a high place in the councils of King Henry in the early part of the reign, but there is nothing to show that he ever filled the office of chancellor at all, unless the charter which Mr. Hardy quotes may be considered an authority. It is an undated charter of Henry II., referred to "per inspeximus" in one of 5 Edw. III. m. 1. printed in Rymer's Fœdera[1]; by which the castle of Arundel is granted to William de Albini, Earl of Arundel. It appears to have been witnessed by "Theo. Archiepiscopo Cantuar.: Hill. Epo. Ciecstr: N. Epo. de Ely *et* Cancellario; Hugh, Com. de Norff.," and others. According to this, therefore, if Nigel was ever Henry's chancellor, it must have been *before* Becket's appointment, because it is notorious that Becket held the seal when Archbishop Theobald died, in 1160: and I have already shown how little probability there is for such a supposition. There seems to me to be a very simple explanation of the apparent difficulty. The charter quoted is not the original one, but copied, probably from a copy, into Edward III.'s charter to be then confirmed; and the copy in Rymer is copied from that; thus affording two or three chances of mistranscription; to which may be added another, in the misreading of the printer. From some one of these causes I have no doubt that between the words "Ely" and "Cancellario," the word "et" has been substituted for the letter "T"; and that, consequently, the reading ought to be "T. Cancellario." The examples of Becket's attestation in this form are as numerous as those in which it is given as "Thoma Cancellario." In the grant of the earldom of Norfolk to Hugh Bigot[2], one of the witnesses

[1] Rymer's Fœd. (1816), i. 41.

[2] Ibid.

to the last-mentioned charter, the witnesses follow in the same order: first, Archbishop Theobald; then Henry, Bishop of Winchester; next *Nigel, Bishop of Ely;* and, immediately after him, *Thomas the Chancellor.* As this latter charter, granting the earldom, must have preceded the former, where Hugh signs as earl, it follows, unless the error I have suggested has been committed, that Bishop Nigel must have superseded Becket between the two grants; for which I am sure Mr. Hardy will not contend.

When King Henry caused his son to be crowned, Richard Barre was appointed his chancellor; but on the young king rebelling against his father, Barre delivered up the seal he had received to his sovereign.[1] Young Henry, it seems, had another made in France, with which he sealed various grants and donations. The name of Geoffrey, Provost of Beverley, nephew of Roger, Archbishop of York, also occurs in Leland as chancellor to Henry, the son; and he is stated to have perished by shipwreck between England and Normandy in 1176.[2]

An evidence of the increased importance and power of the chancellor may be seen in the magnificence displayed by Becket, both on his embassy to the King of France, and on his accompanying King Henry in the war of Toulouse; and also in the appointment of Geoffrey, the king's bastard son, when he was in the highest favour with his father, and was about to resign the rich bishoprick of Lincoln.

That the extravagance of Becket's public displays abroad, or of his domestic arrangements in England, was wholly supported by the emoluments of his office, there is no probability; and it is manifest, from the king, after the commencement of the quarrel, calling upon him to account for the revenues of the bishopricks and other honours which had been

[1] Lord Lyttelton's Henry II., iii. 108. 112.
[2] Leland's Collect. i. 162. 288.

committed to his charge, that these had been also used by him for the purpose. Whether this had been done with or without the royal authority, it is not needful to inquire.

What was the amount of the emoluments of the chancellor there is nothing to show: but his actual salary seems to have been limited to five shillings a day, and the other allowances of simnels, wine, and candles, which have been already mentioned under the reign of William I.[1] This appears from a certificate made by the treasurer and barons of the Exchequer in 27 Edward I., relative to the fees and allowances to which the constable and mareschall of England were entitled. They report that they find in a certain book among the constitutions of Henry II., that the constables had the same as the dapifers, and the dapifers the same as the chancellors: viz. the allowances above referred to, "si extra Domum comederint"; but "si intra Domum comederint," the money payment was reduced to three shillings and sixpence a day, and the other allowances slightly varied.[2] The grant of 1000 marks, payable annually, made by King Henry on the appointment of his son Geoffrey to the office of chancellor, was evidently unconnected with it, and only intended as a compensation for the loss of his episcopal revenues, and as a provision for an affectionate son.

The chancellor during this reign continued to act with the other judges in the Curia Regis and at the Exchequer. He shared also in the duties of a justice itinerant, holding pleas in the second and third years of the reign with Henry of Essex and the Earl of Leicester respectively, in four different counties. In 4 Henry II. an instance occurs of his holding pleas alone in Middlesex: and in 2 Henry II. there is an entry on the roll that Hugh Pincerna accounted for forty shillings "per Plac. Sigilli," in the county of Kent

[1] See p. 14.

[2] Madox's Exch. i. 42.

These latter entries would tend to show that he had begun to have a separate jurisdiction.

Under Henry I. we have seen, but upon somewhat doubtful authority, that a keeper of the seal under the chancellor Ranulph is mentioned. In this reign, Walter de Constantiis is called "*Vice-Chancellor*" by one author, and is described by another as having the duties of the chancellor in the Curia Regis committed to him by Ralph de Warneville. In the following reign the title, it will be found, was officially adopted. He was perhaps the deputy of the chancellor, mentioned in the "Dialogus de Scaccario," to whom the custody of the rolls was entrusted, and in whose appointment probably originated the office of master of the rolls.

The king's frequent absence in his foreign dominions rendered a regular representative in England indispensably necessary; and the administration of justice having assumed, under Henry's superintending care, a more regular shape, the legal department of the state absolutely required a constituted chief. Whatever doubt there may be as to the existence in some of the former reigns of such an officer as chief justiciary, as distinguished from that of treasurer, or of prime minister to the king; or however difficult it may have been to define his functions, or to decide whether they were exercised both in the king's absence abroad, and his residence here; no question can arise that under Henry II. the office assumed a distinct and precise form, and that the name of whoever held it was systematically used in judicial proceedings. The duties of the regency, when the king was away, comprehending the guardianship of the realm in peace, and its defence in war, devolved on the chief justiciary; and none of those eminent individuals who were appointed to the office during this reign failed, when called upon, to shew themselves as able and courageous in the field, as they were experienced and learned in the courts. The succession of

chief justiciaries under Henry is consequently more distinctly marked than in the reign of any of his predecessors.

The office, according to the best authorities, and several writs support the supposition, was in the first year of the reign held jointly by ROBERT DE BEAUMONT, EARL OF LEICESTER, and RICHARD DE LUCI. Their united rule continued till the death of the Earl in 1167, when the sole power remained in the hands of Richard de Luci, who retained it till his retirement into the abbey of Lesnes in 1179.

In that year a great change was made in the administration of justice in the provinces, and it was probably with a view of giving greater efficiency to his new plan, and of providing a president for three of the four divisions into which he then arranged the kingdom, that Henry appointed three prelates to perform the duties of the office of chief justiciary. These were RICHARD TOCLIFFE, BISHOP OF WINCHESTER, GEOFFREY RIDEL, BISHOP OF ELY, and JOHN OF OXFORD, BISHOP OF NORWICH. They continued in office for about a year, at the end of which, under a remonstrance from the pope, they were removed; when

RANULPH DE GLANVILLE was put in their place; and illustrated the remainder of the reign.

TABLE OF CHANCELLORS AND CHIEF JUSTICIARIES.

A.R.	A.D.	Chancellors.	Chief Justiciaries.
I.	1154, Dec.	Thomas Becket, afterwards Archbishop of Canterbury	Robert de Beaumont, Earl of Leicester, and
VIII.	1162	Resigned	Richard de Luci.
XIII.	1167		Richard de Luci, alone.
XIX.	1173	Ralph de Warneville	
XXV.	1179		Richard Tocliffe, Bishop of Winchester, Geoffrey Ridel, Bishop of Ely, and John of Oxford, Bishop of Norwich.
XXVI.	1180		Ranulph de Glanville.
XXVII.	1181	Geoffrey Plantagenet, Bishop of Lincoln, afterwards Archbishop of York	

The number of justiciers in this reign is very great considering its length, and considering also that no names are recorded before the eleventh year, 1165. From that time till 1176, they seem to have consisted of dignitaries of the church, barons, and officers of the Court. But both in 1176, and more particularly in 1179, a new selection appears to have been made from those who had attained a profounder knowledge of the law. In the first of these years all the counties in the kingdom were arranged into six circuits by the council of Northampton, over each of which three justiciers were appointed; and in the last, a new division was made by the council of Windsor into four circuits, with five judges over three of them, and six over the fourth.

Although some of these acted only as justices itinerant, most of them sat also in the Curia Regis at Westminster; and the justiciers appointed over the fourth circuit in 1179 were specially constituted to hear the complaints of the people in the superior court. This is supposed to be the first special appropriation of a department of the Court to this particular object; and from this commencement proceeded the gradual substitution of persons learned in the law for the barons and officers of the household; until at last the administration of justice was confined to lawyers specially appointed for that purpose. This effect, however, was not entirely produced till some time afterwards.

The introduction of FINES towards the latter part of this reign affords a great facility in fixing the names of judges acting at different periods, and enables the legal historian to form from this date a list approaching to accuracy. It may be doubtful, however, whether all the persons, whose names are recorded as having been present when the earlier fines were levied, were strictly justiciers. It is not improbable that the writer of the Chirograph sometimes inserted the names of the officers, as well as the justices, present. Various

instances of the single occurrence of a name seem to warrant this supposition; and Hugh Peverel, one of those before whom a fine was levied in 6 Richard I., was evidently an officer whose duty it was to make up the rolls and issue the summonses for the Aids, Hydages, and Tallages over England. His clerk or writer, Thomas, is recorded as receiving special remuneration for his assistance.

The following list of justiciers is confined to those who are mentioned as acting in the Curia Regis or the Exchequer, at Westminster. As no means exist of ascertaining the date of their appointments, they are introduced in the years in which their names first occur.

The chief justiciaries, having been already mentioned, are omitted: —

XI. 1164–5. A charter made in this year between the abbots of St. Alban and Westminster [1] was executed at the Exchequer before the two chief justiciaries and the following persons, whose names are preceded by the words "assidentibus Justiciis Regis:" —

Nigel, Bishop of Ely,
Geoffrey [Ridel], Archdeacon of Canterbury,
Richard [Tocliffe], Archdeacon of Poictiers,
Richard [Fitz-Nigel], the King's Treasurer,
Guy, Dean of Waltham,
Henry Fitz-Gerold,
William Malduit, the King's Chamberlains;
Simon Fitz-Peter,
Alan de Nevil,
Geoffrey Monachus,
William Fitz-Andelm, the King's Marshalls;
Philip de Davencester.

Whether the Chamberlains and the Marshalls were included among the "Justiciis" may, from the construction of the sentence, be doubtful: but if they were not, in what character did Philip of Davencester, to whom no title is added, stand?

XVI. 1169–70. William Fitz-Martin, John Malduit.
They appear on a writ into Lancaster.[2]

XXI. 1174–5. Thomas Basset, William Fitz-Ralph,
William Basset, Bertram de Verdun.

[1] Madox's Exch. i. 44. c.

[2] Ibid. ii. 253.

XXIII. 1176–7.	Hugh de Cressi,	William Fitz-Stephen,
	Walter Fitz-Robert,	Robert Mantel.
	Turstin Fitz-Simon,	
XXV. 1178–9.	Roger Fitz-Reinfrey.	

The pleas of all these ten are on the Great Rolls of the several years. Though charging parties in different counties, they are expressly stated to be "in Curia Regis," or "ad Scaccarium."[1]

The following six were those who were specially appointed, as already stated, by the council of Windsor to sit in the Curia Regis to hear the plaints of the people.

Godfrey de Luci, afterwards Bishop of Winchester,
John Cumin, afterwards Archbishop of Dublin,
Hugh de Gaerst,
Ranulph de Glanville, afterwards Chief Justiciary,
William de Bendings,
Alan de Furnellis.[2]

The remainder are principally from the Fines.

XXVIII. 1181-2.	William de Auberville,	Ralph de Gedding,
	Michael Belet,	Osbert de Glanville,
	Gilbert de Coleville,	William Rufus, Dapifer Regis,
	Gervase de Cornhill,	
	Thomas Fitz-Bernard,	William Torell.
	Osbert Fitz-Hervey,	
XXX. 1183–4.	Hugh Bardolf, Dapifer,	Hugh de Morewic, Dapifer.
	Ralph Fitz-Stephen, Chamberlain,	Robert de Witefeld.
	Robert Marmium,	
XXXI. 1184–5.	Nigel Fitz-Alexander,	Hubert Walter, Dean of York.
XXXIII. 1186–7.	Thomas de Husseburn,	Josceline, Archdeacon of Chichester,
	Robert de Inglesham, Archdeacon of Gloucester,	Ralph, Archdeacon of Hereford.
XXXV. 1188–9.	Ralph, Archdeacon of Colchester,	William, Archdeacon of Totness.

Dugdale, in his Chronica Series, but without any date, inserts the name of

Robert Grimbald as a Justiciary under Henry II.

The only apparent ground for doing so is, that his seal is engraved with an abstract representation of Justice. As, however, he is never mentioned in that character in any of the records of this reign, I entertain great doubts whether he was ever a judge in

[1] Madox's Exch. i. 94. 103. 211.

[2] Dugdale's Chron. Series.

the King's Courts; and I have stated them more fully in the sketch attached to his name.

Robert Grimbald's seal is considered as affording the earliest example of legal costume subsequently to the Conquest; and even if he was not in fact a judge, and the figure is only emblematical, there seems no reason why it should not be accepted as an authentic representation of the judicial dress of the period.

The system introduced by Henry I., of sending justiciaries into the different counties to hear and decide the pleas brought before them which had been interrupted by the dissensions of Stephen's reign, was partially restored soon after the accession of Henry II.; but before the end of the reign it had been firmly established on an improved basis.

Some instances occur in the earlier years of justices errant being employed in traversing the country to hear not only pleas of the crown but also common pleas, and to impose the assizes and tallages upon the king's demesnes; and from 12 Henry II., 1166, there is a regular succession of these justices, with scarcely any interruption, to the end of the reign.

II. 1155-6. Robert de Beaumont, Earl of Leicester, the Chie Justiciary, and
Thomas Becket, the Chancellor, both acted in this and the following year; and Becket also in the next.
Henry de Essex, the King's Constable; in this and the two following years.

IX. 1162-3. William Fitz-John; and in 14 Henry II.

XII. 1165-6. Geoffrey de Mandevil, Earl of Essex,
Richard de Luci, Chief Justiciary; both of whom acted also in 13 and 15 Henry II.

XIV. 1167-8. William Basset, Richard, Archdeacon of Poictiers,
Guy Rufus, Dean of Waltham, Reginald de Warenne.
All of whom also acted in the three following years.

XV. 1168-9. Gervase de Cornhill. John Cumin.
Acting also in subsequent years.

XVI. 1169-70. Henry Fitz-Gerold the Chamberlain, Hugh de Morevill, Alan de Nevil, Junior, Oger, the Dapifer, Robert de Stuteville;

who all, except Hugh de Morevill, acted in the following year.

Most of the above have been already recorded in the lists of chief justiciaries or justiciers. The rest were barons or officers of the court.

XVII. 1170-1. Dugdale gives under this year a list of twelve persons, whom he designates Justices Itinerant into the counties of Kent, Surrey, Middlesex, Berks, Oxford, Buckingham, and Bedford, — upon the authority of Gervas of Canterbury. That author's words, however, do not support the statement, nor does he style them justices itinerant. He says that the king appointed certain abbots, clergy, earls, and knights, to go through the kingdom to summon the sheriffs of the different counties to appear and answer certain articles on which they were authorised to inquire. The above were appointed for the counties specified; but others were sent to the rest of the kingdom, and they were called "Inquisitores," and "Barones errantes." The sheriffs in those days were appointed, not only from among the barons and great men in favour with the king, but also from among the officers of the court. They sometimes paid a fine to the king for the appointment, and frequently had no connection with the counties over which they presided. Several counties also were not uncommonly entrusted to one man; who consequently had his underlings to perform the various duties. This system, and the desire of each to make the most of his office, had led to oppressive exactions. Loud complaints followed, the truth of which, on their reaching the king's ear, he took this mode of investigating; and the result of the inquiry was the removal of some of the sheriffs from their office, and the imposition of fines on others.

They cannot, therefore, be properly considered as justices itinerant. Their names were—

The Abbot of St. Augustin, Canterbury,
The Abbot of Chertsey,
Roger, Earl of Clare,
William de Abrincis,
Manaserius de Dammartin,
Gerold Fitz-Ralph,
Gilbert de Pinkeni,
William Fitz-Helton,
William Fitz-Nigel,
William Fitz-Martin,
Ralph de Hospitali.
Ralph de Dene.

None of them, except William Fitz-Martin, are ever otherwise mentioned in a judicial character.

I do not find any justices itinerant specifically appropriated to the eighteenth year of this reign.

From this time, I shall avoid the repetition of any name that has been previously introduced as a justice itinerant.

XIX. 1172–3.
Hugh de Bocland,
Turstin Fitz-Simon,
Adam de Gernemue,
Reginald de Luci,
Robert Mantel,
Walter Map,
Richard [Fitz-Nigel], the treasurer.
William Rufus.
Sefred, Archdeacon of Chichester.
Nicholas de Sigillo.
Richard de Wilton.
Wimer, the chaplain.

XX. 1173–4.
Alard Banastre,
William Bastard,
Alexander le Boteler,
William de Braiosa,
John le Clerk,
John le Dover,
Mathew de Escuris,
Philip Fitz-Ernise,
William Fitz-Ralph,
William Fitz-Richard,
Ralph Fitz-Stephen,
Hugh de Gundevil,
Walter de Hadfield,
John Jukel,
Leonard, a knight of Thomas Basset,
Alured de Lincoln,
Robert de Luci,
John Malduit,
Hamon Morgan,
Milo de Mucegros,
Const. de Oxenford,
Walter de St. Quintin,
Guy le Strange.

These were principally appointed by writ of Richard de Luci, the chief justiciary; and their duties seem to have been limited to the assessment of the Tallage; several of them being sheriffs, and not acting at any other time as justices itinerant.

XXI. 1174–5.
Thomas Basset,
Hugh de Cressi,
Ranulph de Glanville,
William de Lamvallei.

XXII. 1175–6. On January 23, 1176, a council was held at Northampton, at which the realm was divided into six parts; and three justices itinerant were appointed to administer justice over each; who were sworn to keep the statutes, which were made at Clarendon, and then renewed.

Of the eighteen justices itinerant then named, the following nine had previously acted in the same capacity; viz.—

William Basset,
Hugh de Cressi,
William Fitz-Ralph,
Turstin Fitz-Simon,
Ralph Fitz-Stephen,
Ranulph de Glanville,
Hugh de Gundevil,
Robert Mantel,
William Rufus;

all of whom, except Hugh de Gundevil, appear also as justiciers in the Curia Regis about the same time; so likewise do the following four:—

Roger Fitz-Reinfrid,
Walter Fitz-Robert,
William Fitz-Stephen,
Bertram de Verdun.

The remaining five, who are not known to have acted in the superior court, are,—

Robert Fitz-Bernard, Gilbert Pipard,
Richard Giffard, Robert de Vaux.
Robert Pikenot,

Although the rolls of the four following years contain the pleas of many of the previous justiciers who were not included in these eighteen, it does not follow that they had been restored to their functions; because the entries may, and probably do, refer to their pleas in former years.

The following are the only new names which occur:—

XXIII. 1176-7. Michael Belet, Gilbert de Columbiers.
Ralph Briton,

XXIV. 1177-8. Thomas Fitz-Bernard.

XXV. 1178-9. Another change was made in the judicial arrangement of the kingdom. The king at a great council held at Windsor at Easter, 1179, divided the realm into four parts; appointing five justiciers to administer justice in three of the divisions, and six in the fourth, who were also specially assigned to hear the plaints of the people in the Curia Regis.

Over the first three of these divisions,

Richard Tocliff, Bishop of Winchester,
Geoffrey Ridel, Bishop of Ely, and
John of Oxford, Bishop of Norwich

then constituted chief justiciaries of the kingdom, presided. Of the remainder, the following had previously acted as justices itinerant, viz.:—

Thomas Basset, Richard [Fitz-Nigel], the
Michael Belet, Treasurer, and
Ralph Briton, Nicholas, the King's Chap-
John Cumin, lain, if he be the same
Ranulph de Glanville, as Nicholas, Archdeacon
Gilbert Pipard, of Huntingdon.

The remaining ten were new appointments:—

William de Bending, Godfrey de Luci,
Nicholas Fitz-Torold, Hugh Murdac,
Alan de Furnellis, Richard del Pec,
Hugh de Gaerst, Reginald de Wisebec,
Geoffrey Hose, Robert de Witefeld.

In the remaining years of the reign it is probable that these justiciers, while they continued in office, varied their circuits as circumstances required; as several instances occur of their acting in different counties from those to which they were first appointed.

Very few new justices itinerant were nominated before the end

of the reign: the only additional names that occur are the following: —

XXVI. 1179–80. Richard Rufus, whose name is mentioned by Madox; but there is some doubt whether it is not erroneously substituted for Richard Giffard.

XXVIII. 1181–2. Samson de Totington, Abbot of St. Edmund's between 1182 and 1187.

XXXI. 1184–5. Thomas de Husseburn, Ralph Murdac, Hugh de Morewic, William Vavasour.

XXXIII. 1186–7. Hugh Bardolf, Richard, Archdeacon of William Briwer, Wilts.

Bracton gives the following form of the special writ directed to each itinerant justice: —

"Rex dilecto et fideli suo N. N. salutem. Sciatis, quod constituimus vos justiciarum nostrum, una cum dilectis et fidelibus nostris A. B. C. ad itinerandum per comitatum W. (vel comitatus D. S. R.) de omnibus assisis et placitis, tam coronæ nostræ, quam aliis, secundum quod in Brevi nostro de generali summonitione inde vobis directo plenius continetur. Et ideo nobis mandamus, rogantes, quod in fide qua nobis tenemini, una cum prædictis sociis vestris, ad hæc expedienda fideliter et diligenter intendatis; ut tam fidem vestram, quam diligentiam ad hoc appositam debeamus merito commendare. Teste," &c.

A general writ of summons, as mentioned in the body of this writ, was also addressed to all the justices appointed for that circuit.[1]

The Exchequer is frequently spoken of as the *place* where the common pleas were determined in this reign. The chief justiciary presided, and the same judges sat there as acted in the other branch of the Curia Regis; all being called indiscriminately barons and justices. In a case in Michaelmas, 8 John, in which Robert de Aubeni demanded the town of Dudcote (Didcot, in Berks) against Geoffrey de la Mare, a

[1] Dugdale's Orig. Jurid. 52. I am inclined to think that this writ is of a somewhat later date than the reign of Henry II.

charter of Henry II. was produced, giving to Hugh de la Mara this town, "which Robert has quit claimed to me in my court at Westminster, before me and before my *barons and justices* then there present, in satisfaction of his great offence, to wit, for casting a stone, wherewith he, without provocation, struck me, before the castle of Bedford, he being before that time my liegeman."[1] The prior and certain of the monks of Abingdon were despatched to Ranulph de Glanville, the chief justiciary, on the subject of the king's seizure of the possessions of the monastery; and "when they came to the said Ranulph, then sitting in the Exchequer at Westminster, he, advising with the bishops and *other justices* who also sat there, published the judgment of the court,—that their customs should not be infringed." An agreement on the sale of some lands at Malden was confirmed at the Exchequer before Richard de Luci, the chief justiciary, "et aliis *baronibus* de Scaccario;" and another at a later period of the reign was recorded there before the bishops of Winchester, Ely, and Norwich, then chief justiciaries, "et aliis baronibus, qui tunc ibi aderant."[2]

Fines also, which towards the close of this reign became an established mode of conveying lands, and an almost unbroken series of which exist from 7 Richard I. till they were finally abolished in the year 1833, afford some examples that the terms baron and justice were used without any perceivable distinction. The few that remain of this reign are generally stated to have been acknowledged "in Curia Regis;" but after giving the names of several persons present, who are known to have been justices, they add sometimes the words "et ceteris baronibus," and sometimes "et aliis baronibus et justiciis."[3]

[1] Manning's Serviens ad Legem, 171.

[2] Dugdale's Orig. Jurid. 49, 50.

[3] Preface to Fines of Richard I. and John, p. xxi.; Dugdale's Orig. Jurid. 92.

From the entries on the rolls it is evident that there were two principal rooms at Westminster for the barons of the Exchequer to meet in. One of these was called *Scaccarium Baronum*, and sometimes *Scaccarium in Solio;* which Madox translates "the Throne-like Exchequer (perhaps because it was framed like a throne or court);" but it more probably was so styled because a throne was placed there on which the king sat, when he chose to preside. The other was called *Thalamus Baronum*, and in another place *Scaccarium Baronum in Thalamo Regis.* Madox conceives this to have been a sort of council-chamber. It is not however improbable, considering that the common pleas were heard in this department of the court, that one of the chambers was specially devoted to these trials, while the other was reserved for the regular business of the Exchequer, that relating to the revenue.

These entries are principally of payments for woollen cloth (pannus laneus), probably the chequered cloth to cover the table, which was supplied twice a year. There are also charges for benches, and for linen cloth for the windows. In the next reign a charge occurs for rushes, "pro juncis emptis ad cameras baronum, xxxij s. et vij d." Whether these "cameras" were the two chambers above mentioned, or rooms used for lodging or otherwise, does not appear; but the charge seems too large for the former purpose alone.

The Exchequer was held during part of this reign at Winchester.

The most ancient treatise on the laws of England now extant is the "Tractatus de Legibus et Consuetudinibus Regni Angliæ," before alluded to; the authorship of which is commonly ascribed to Ranulph de Glanville, the chief justiciary at the end of this reign. Doubts, however, have been raised both as to the date of the work, and as to its real writer. Mr. Hunter, in his able preface to the first volume

of Fines, printed under the direction of the Record Commission, expresses a strong suspicion that the Treatise was not the work of Ranulph de Glanville, and that it need not therefore be assigned to a period when he was still alive. But even were his suspicion well-founded, it would not be sufficient to warrant his conclusion. Not only the "Prologus" to the Treatise, but several of the writs introduced into it, in which the words "tempore Regis H. avi mei" are used, if they do not plainly prove, at least afford a strong presumption that the composition was completed before the death of Henry II.; and the admission that it must have been written during the two last years of his reign, neither diminishes nor increases the probability.

Mr. Hunter further suggests that much of the difficulty as to the introduction of fines would be removed by transferring the date of the Treatise to the reign of Richard or of John. It seems to me, however, that the few years that would be thus attained would add little to the argument on either side, and would not give any more definite meaning to the words with which the author opens the subject. These words, "Contingit autem multotiens," "But it often happens,"[1] have been cited to show that fines had been long established at the time when the Treatise was written. They, however, do not necessarily bear any such interpretation; and would be equally applicable to a practice then generally in use, whether that practice were ten or a hundred years old. Indeed, it seems more probable that, if the practice had been of any very long standing, the fact would have been brought forward more prominently, and its antiquity noticed with greater particularity. Little doubt now exists that the Fine was taken from the Roman law, the Pandects of which were publicly lectured upon in this country in 1147. The

[1] Glanville, lib. viii. cap. 1.

great convenience of the instrument would occasion its early adoption; and its use for twenty, or even ten, years would well warrant a writer on the law to adopt the words in question.

The "Prologus" was manifestly written during the reign of Henry II.; to whom only, and certainly to neither of his successors, Richard I. or John, could the character of the king mentioned in it, or the incidents adverted to, refer.

Presuming, then, that the reign of Henry is the period of its composition, what is there to object to the general ascription of its authorship to Ranulph de Glanville, considering that he did not die till 1190, the first year of Richard's reign? The principal doubt as to its being properly attributed to him seems to arise from the title prefixed to it, which says, "it was composed in the time of Henry II., the illustrious Ranulph de Glanville, who of all in those days was the most skilled in the law and the ancient customs of the realm, then holding the helm of justice." Undoubtedly, no author would so describe himself: but this proves no more than that Glanville did not write the title-page, and it is evident, from the words used, "eo tempore," that the title as it now stands was an addition at a subsequent period.

With reference to Mr. Hunter's suggestion, that William Glanville, who sat in the Curia Regis in the reign of Richard I., might have written the work, it is to be observed that there is nothing whatever in that judge's life upon which to found such a probability; and that the argument as to the time when fines were introduced, would derive little assistance from the additional eight or ten years which would be thus obtained.

It is true that there is no positive evidence that Ranulph de Glanville was the author: but some weight is to be given to the tradition which ascribes it to him; especially when that is supported by his acknowledged learning, and by the

facts that he had been connected with the Court for many years, that he had held a judicial position before he was raised to the office of supreme judge, and that he occupied that high post for nearly ten years. That both of the precedents of fines which are given in the work are dated in the thirty-third year of Henry's reign, proves nothing as to the time of its *composition*, which might have been, and probably was, a labour of several years: they only show that the *completion* did not take place till about that time, when it would be quite a matter of ordinary course to introduce the most recent examples; and they give cogency to the probability that the work was written either from Glanville's dictation or under his direction and superintendence.

The contents of the Treatise scarcely justify the general title which it bears; being principally devoted to such subjects only as were under the jurisdiction of the Curia Regis. The correctness, however, with which the proceedings are described, has been substantially proved by the recent publication of the records of that Court in the time of Richard I. and John, in which they are found precisely to correspond in every respect.

BIOGRAPHICAL NOTICES

OF

THE JUDGES UNDER THE REIGN OF HENRY II.

ABRINCIS, WILLIAM DE.

? Just. Itin. 1170.

William de Abrincis, or Averenches, is one of the twelve barons who are inserted in Dugdale's Chronica Series as justices itinerant appointed in the year 1170 for the counties of Kent, Surrey, Middlesex, Berks, Oxford, Buckingham, and Bedford. It has, however, been already shown[1] that they cannot be properly so considered; but that they were in fact only commissioners appointed to inquire into the abuses of sheriffs, bailiffs, and other officers.

He was the grandson of a Norman noble of the same name: who, dying in 1807, was succeeded by his son, Roelandus de Abrincis, a valiant soldier under Henry I.; whose wife Maud, the daughter and heir of Nigel de Monville, or Mundevil, brought him the lordship of Folkestone, in Kent, with all the lands and honors she inherited from her mother, Emma, the daughter of William de Arques. The subject of the present notice was their eldest son.

His possessions were of considerable extent. In 11 Hen. II. his scutage of Wales amounted to 30*l.*, and in the next year he paid for twenty-four knights' fees in Kent, on the aid for marrying the king's daughter.

[1] See *ante*, p. 175.

According to the manner of the time, he devoted part of his property to religious purposes. In 1147 he ratified his mother's grant of the lordship of Siwelle in Northamptonshire, to the abbey of St. Andrew in Northampton: and he gave to the church of our Lady of Merton two sheaves of his whole lordship, with the tithes of his mill, paunage, cheese, calves, colts, lambs, apples, and nuts, in pure almes. To the monks of Essay, in Normandy, he also gave the fourth part of the church of St. Saviour, with the tithe of the chapelry of his own house, and other benefactions.

He died before 2 Richard I., his son Simon being then in possession of the estates.

The male branch of the family terminated a little before the year 1235, by the death of another William de Abrincis without issue. His sister became his heir, and married Hamon Crevequer, lord of Leeds Castle, in Kent.[1]

AUBERVILLE, WILLIAM DE.

Just. 1182.

William de Auberville was descended either from a baron of the same name, lord of Berlai, in Hertfordshire, or from Roger de Auberville, or Otherville, who held divers lordships in Essex and Suffolk; both of whom flourished in the time of the Conqueror.

His father was Hugh de Auberville, on whose death, in 31 Henry I., 1130–1, he was a minor, and was placed under the care of Turgis de Abrincis, who gave three hundred marks of silver and one of gold, with a courser, for his wardship, and for the marriage of Wynane, his mother, Hugh's widow.

He married Matilda, one of the three daughters of Ranulph

[1] Dugdale's Baronage, i. 467.; Monast v. 190.

de Glanville; and we find him in 1182, 28 Henry II., present with that great justiciary at Westminster at the passing of two fines there, and evidently acting as a justicier.[1]

He was alive in 6 Richard I., 1194–5, being in that year a party to a suit relative to the partition of the inheritance of Ranulph de Glanville, his father-in-law.[2] In the year 1192, 3 Richard I., he founded an abbey of white canons of the Præmonstratensian Order, removed from Leyston in Suffolk, at West Langdon, in Kent, and endowed it with the whole of that manor and with other lands. In his charter of foundation he mentions a son, William, and a daughter, Emma: besides whom he had another son, Hugh, who succeeded him. Hugh's son William left only a daughter, named Joan, whose husband, Nicholas de Criol, confirmed the grants made to the abbey by William de Auberville.[3]

AVERENCHES, WILLIAM DE. *See* ABRINCIS.

AYMER, or DANIEL, ABBOT OF CHERTSEY.

? JUST. ITIN. 1170.

"THE Abbot of Chertsey" is the second of the "Barones errantes," or "Inquisitores," sent by Henry II., in 1170, to inquire into the conduct of the sheriffs, whom Dugdale erroneously designates "Justiciarii Itinerantes."

It is doubtful whether this abbot was Daniel or Aymer. I am inclined to think it was the latter. The date attached to the former in Manning and Bray's Surrey is 1149.[4] The

[1] Preface to Fines of Richard I. and John.

[2] Rot. Curiæ Regis, 6 Richard I., 24.

[3] Dugdale's Monast. (1846), vi. 898.; Dugdale's Baron. i. 499.; Hasted's Kent, ix. 401.

[4] Vol. iii. 217.

Liber Niger Scaccarii proves that the latter was certainly abbot in 1175, if not earlier[1]; but affords no evidence of how long he had been so. He was succeeded by Bertran, whose elevation to the abbacy is proved by a passage in the "Cronica Jocelini de Brakelonda," not to have taken place till after February, 1182.[2]

BANASTRE, ALARD.

JUST. ITIN. 1174.

DURING this reign sheriffs were frequently added to the justices itinerant appointed to set the assize or tallage on the king's demesnes in the counties over which they presided; even though they were no otherwise connected with the court. In these cases, however, their duties seem to have been confined to that object; and particularly in the year in which Alard Banastre is named, separate justiciers appear to have performed this duty under writs from Richard de Luci, the chief justiciary; while others were regularly engaged in the administration of criminal justice, and the hearing of legal pleas.

Alard Banastre was Sheriff of Oxfordshire in 20 & 21 Henry II., 1174–5; and in the former of those years his name is found as one of the justices itinerant fixing the assize for that county. But, in reference to the ordinary proceedings of the court, he is never mentioned; nor indeed is any other information given concerning him.

In the four previous years, that sheriffalty was held by Adam Banastre, probably his father.[3]

BANGOR, BISHOP OF. *See* GUY RUFUS.

[1] Dugdale's Monast. (1846), i. 423.
[2] P. 16.
[3] Fuller's Worthies, Berkshire; Madox's Exch. i. 124.

BARDOLF, HUGH.

JUST. 1184.

See under the Reigns of Richard I. and John.

BASSET, THOMAS.

JUST. ITIN. 1168. JUST. 1175.

THOMAS BASSET was the son and heir of Gilbert, a grandson, or as Dugdale believes, a younger son of Ralph Basset, the justiciary in the reign of Henry I. His military services in divers wars were rewarded by King Henry II. at an early period of his reign with the lordship of Hedendon, in Oxfordshire, together with the hundred of Botendon, and that lying without the north gate of the city of Oxford. He was sheriff of that county in 10 Henry II., and in the 14th year of that reign, 1168, he was one of the justices itinerant for the counties of Essex and Hertford.[1]

From the year 1175 his name frequently appears among the barons acting judicially in the Curia Regis; and the superior character of his abilities is evident from his being employed as a justice itinerant for the six following years in no less than fifteen other counties; and in his having been one of those selected by the great council held at Windsor in 25 Henry II., 1179, when the kingdom was divided into four parts for the better administration of justice. He was excused from the assessments imposed upon his property, in the same manner as others acting in the court usually were.

He married Alice, the daughter of . . . de Dunstanville, and died before 29 Henry II., 1183, in which year his eldest son, Gilbert, had come into his possessions, and founded the priory of Burcester, or Bicester, in Oxfordshire.

Besides Gilbert (who died in 7 John, leaving an only

[1] Madox's Exch. i. 587.

daughter married to Richard de Camvill), he had two other sons, Thomas and Alan, the latter of whom is mentioned as a justicier under the reign of Henry III.; and one daughter, who became the wife of Albert de Grelle.[1]

BASSET, WILLIAM.

JUST. ITIN. 1168. JUST. 1175.

WILLIAM BASSET, lord of Sapcote in Leicestershire, was a younger son of Richard Basset, the justiciary in the reign of Henry I., and Matilda Ridel, his wife; and consequently grandson of Ralph Basset, the head of the family.

From 9 to 16 Henry II., 1163–1170, he executed the office of sheriff of the united counties of Warwick and Leicester, and was afterwards fined by the commissioners appointed in the latter year in the sum of one hundred marks for some transgressions he had committed in performance of his duties. He, however, afterwards held the sheriffalty of Lincolnshire in 24 Henry II., and the six following years.

His pleas as a justice itinerant commence in 14 Henry II., 1168, and extend till 26 Henry II., 1180; during which time he acted in twenty-four different counties.[2] From 21 Henry II., 1175, he is frequently mentioned as assisting in the judicial business of the Curia Regis, in which he continued to sit till 30 Henry II., 1184.[3]

He died about the latter date, and was succeeded in the barony by his son Simon, of whom mention will be made in the next reign as a justice itinerant.[4]

[1] Dugdale's Baronage, i. 383.; Nicolas's Synopsis of the Peerage; Madox's Exch. i. 94. 125. &c.; Pipe Rolls, 2, 3, 4 Henry II. 114. &c.

[2] Dugdale's Chron. Series; Madox's Exch. i. 148. 149. &c.

[3] Ibid. i. 94. 103. &c.

[4] Dugdale's Baron. i. 382

BASTARD, WILLIAM.

JUST. ITIN. 1174.

FIVE justices itinerant were appointed in 20 Henry II., 1174, by writ of Richard de Luci, to set the assize of Hampshire, of whom William Bastard was the third named[1]; but who he was I cannot find with sufficient certainty.

BEAUMONT, ROBERT DE, EARL OF LEICESTER.

JUST. ANGL. 1154.

ROBERT DE BEAUMONT (*de Bello Monte*) was the second Earl of Leicester; succeeding, as the elder of two twin sons, his father of the same name, who, as Earl of Mellent in Normandy, was one of the principal ministers of Henry I., and acquired the reputation of being the first statesman in Europe. He was allied to the family of the Conqueror; and accompanying him as a young man in his expedition to England, he distinguished himself by making the first onset in the battle of Hastings. His reward was the grant of above ninety lordships in the counties of Warwick, Leicester, Wilts, Northampton, and Gloucester. Adhering to King Henry I. in his contests with his brother Robert, he was created Earl of Leicester; and, dying in 1118, Waleran, the younger of the twins, succeeded to the earldom of Mellent, and the lands in Normandy; while those in England, with the earldom of Leicester, devolved on this Robert, who was surnamed Bossu.

Although this earl was also in great favour with Henry I., and was with him at his death in 1135, he supported King Stephen in the early part of his reign, and obtained a grant

[1] Madox's Exch. i. 125.

of the town, castle, and county of Hereford. On the arrival, however, of Henry, Duke of Normandy, he declared for that prince, supplied him with necessaries, and assisted him with powerful military aid. He was a witness to the convention between the prince and King Stephen, which terminated this intestine warfare.

On Stephen's death, the earl was among the principal counsellors of his successor; and being as eminent for the qualifications of his mind and his knowledge of the law, as he had shown himself in state policy and civil affairs, he was immediately raised by Henry to the office of chief justiciary, or president of the Exchequer, which he retained during the remainder of his life. This appointment is said by some to have been held by him in conjunction with Richard de Luci; and there are some writs which seem to show that it was so.

Throughout the king's contest with Becket, he aided his royal master in maintaining the rights of the state against the encroachments of the clergy. His prudence was so great, and his piety so notorious, that even the violent archbishop did not venture to include him in the sentence of excommunication which he pronounced against several of the king's counsellors: although he had been one of the principal actors, and had joined in prevailing on Becket to sign the constitutions of Clarendon.

Before that contest was terminated by the murder of Becket, the Earl of Leicester died in 1167, 13 Henry II., at the abbey of Leicester, which he had founded in 1143. He is stated to have been a canon regular of that abbey for fifteen years before his death; but if so, his employments from the commencement of the reign of Henry II. prove that he had a dispensation from the observance of the strict rules of the order. Besides this abbey, he founded three other religious houses, and was also a liberal benefactor to many more.

He married Amicia, daughter of Ralph de Wact, Earl of Norfolk; and had by her, besides Robert, who succeeded him, two daughters, one of whom married Simon, Earl of Huntingdon, and the other William, Earl of Gloucester.

His son Robert, surnamed Blanche-Maines, having rebelled against Henry II., was taken prisoner and kept in confinement for a great part of his reign. He was afterwards, however, restored to the king's favour, and in the next reign accompanied King Richard to the Holy Land; in his return from which he died, in 1190. By the death of his son and successor, Robert Fitz-Parnell, in 1206, the male branch of the family became extinct: but the title was revived by King John in the person of Simon de Montfort, who had married his sister Amicia.[1]

BECKET, THOMAS, ARCHDEACON OF CANTERBURY, PROVOST OF BEVERLEY, ARCHBISHOP OF CANTERBURY.

CHANCELLOR, 1154.

THE biographer of a political or a religious martyr is by no means to be envied. He is not only perplexed by the conflicting and contradictory accounts of panegyrists and detractors; but however unprejudiced he may be, however anxious to confine himself strictly to the truth, and however indifferent to the effect which that truth may have on the character he is describing, he may rest assured that condemnation and not applause will be his reward. One party will abuse him for the omissions of details which he has felt himself conscientiously bound to reject, and the other for his candour in judging those facts which cannot be disputed; so that his careful endeavour to exhibit a perfect neutrality will

[1] Madox's Exch. i. 34., ii. 138. 394.; Lord Lyttelton's Henry II., i. 208. 397. 541., ii. 18. 375. 414.; Dugdale's Baronage, i. 84.; Rapin, &c.

fail with both parties, because he refuses to adopt exclusively the opinions of either.

This is peculiarly the case with regard to Thomas Becket. It began in his own time, since royalty was even more certain to find partisans than priesthood; it continued after his death, since his earliest biographers differ in the facts they relate; it proceeded through succeeding ages, in which his character has been elevated or debased according to the extreme views of those who have discussed it; and even in the present day, though after the lapse of nearly seven centuries an impartial judgment might be expected, the contest, owing to the revival of influences somewhat similar to those which operated upon him, is still as rife as ever: and he who ventures upon it must be content with the alternate censures of the archbishop's supporters and opponents.

I cannot expect to escape the common fate, even in the slight sketch which follows: avoiding as irrelevant to its position here the tender subject of ecclesiastical claims, and confining itself as much as possible to the mere incidents of his life and the circumstances of his legal career. But even in regard to these incidents, difficulties arise in the outset from the necessity of sifting the truth from those exaggerations with which the memoirs of a hero, whether in the shape of a martyr or a conqueror, are sure to be embellished.

Thomas Becket was a native of London, having been born in the parish of St. Mary Colechurch, on the north side of Cheapside, in the year 1118.[1]

His ancestors, according to his own account, were citizens

[1] Dugdale's Monast. (1846), vi. 646. In drawing up this sketch I have consulted various authorities; but I have been principally indebted to an excellent article contained in the eleventh and twelfth numbers of the English Review, vi. 37—76., and 370—417. The extensive research, the learned labour, the judicious criticism, and the scrupulous impartiality which the author displays, cannot fail to receive the commendation of all who are interested in a temperate investigation of the subject.

there, somewhat above the lowest rank, "non omnino infimi;" but the condition of the family had evidently improved in the time of his father, Gilbert, since he had filled the office of sheriff or portgrave of the city. His mother's name was Matilda, and the story of her union with Gilbert, of which neither Becket nor any of his contemporaries state anything extraordinary, was enlivened about two centuries after his death with a romantic addition, which soon after was popularly accepted as an undoubted truth. Gilbert was said to have become a captive in the Holy Land, and to have inspired with love his master's daughter, by whose assistance he escaped: that she followed him to England, and, with no other knowledge of the English vocabulary than the words "London" and "Gilbert," was lucky enough to work her way to the metropolis, and to discover the object of her search: that Gilbert forthwith procured her baptism, at which six bishops assisted, and rewarded her devotedness by making her his wife.

Omitting the omens of future greatness by which Thomas's birth was said to be attended, and the miraculous incidents which were attributed to his youth, it will be enough to relate the simple course of his early years.

Intended for the church, he was placed at the age of ten under Robert, the prior of Merton; and afterwards studied at the schools in London. He next proceeded to Paris to finish his education, and on his return is said to have been employed as a clerk to the sheriffs of London; an occupation not unlikely for him to obtain, considering that his father had held that dignity, and was now reduced in his circumstances.

The superiority of his parts and the captivating grace of his manners had already procured him the friendship of those who frequented his father's house. From one of them, a rich baron, he obtained little more than a zest for the amuse-

ments to which he was introduced; but to two Norman ecclesiastics he was indebted for more solid advantages, and in fact for the means by which he ultimately raised himself to his highest position. They procured his admittance about 1145 into the family of Archbishop Theobald; who soon discerning his abilities, took him into his favour, and obtained for him canonries in St. Paul's and Lincoln, besides presenting him with the livings of St. Mary-at-Hill in London[1], and of Otford in Kent. By the primate's kindness, also, Becket was sent to the schools of Bologna and Auxerre, to study the canon and civil law: and, returning to England no mean proficient in them, he was employed by his patron in several embassies to the court of Rome. Among these was one to obtain the restoration of the legantine power to the see of Canterbury; and another to procure a bull prohibiting the coronation of Eustace, the son of King Stephen. The abilities which he evinced in these negotiations, and his success in both of them, not only confirmed the archbishop's good will towards him, but formed the ground-work of the favour with which Henry, when he ascended the throne, immediately distinguished him.

In the mean time, however, he was rewarded with the archdeaconry of Canterbury, to which he was appointed on the elevation of Roger to the archbishoprick of York, about 1153. Whether this dignity was followed or preceded by the provostship of Beverley, is uncertain: but the date of 1139, as it stands in the lists, is obviously erroneous.

The death of Stephen, on October 25, 1154, enabled King Henry to shew his appreciation of Becket's talents: and there seems to me very little doubt that immediately on his coronation he appointed him his chancellor. Thynne and

[1] Not St. Mary-le-Strand, as commonly stated, which was not in London at all, as Becket's living is described to have been; and was not then a parish under that name.

Philipot place John before him; Oldmixon, in his "Lives of the Chancellors," says that Philip held the seal till the third year of the reign, when Becket succeeded him; and Dugdale fixes the date 1157 to his nomination. For John, however, not the slightest authority is given; Philip, though chancellor to Stephen, is mentioned by no writer of authority as holding the office under Henry; and that Becket must have done so before Dugdale's date, there is the amplest proof.

The historians are very loose in their dates, seldom naming more than the year. Roger de Wendover, in speaking of Becket's appointment, fixes it in 1155, which, considering that Henry's coronation took place on December 19, 1154, might be in the first year of the reign. The records afford the best means of certainty; and of these the charters and the Great Rolls are to be preferred as guides. Of thirty-nine charters, however, in the Monasticon, to which Becket's name is attached as chancellor, not one has any date, and though an approximation to the period of their being granted can be frequently traced, yet none happen to afford the means of coming to a certain conclusion. The Great Roll of the first year also is wanting; so that no positive testimony by which to decide the precise period of his appointment exists. But the Great Roll of the second year offers sufficient evidence to warrant an almost conclusive inference that no chancellor preceded him.

In that roll[1] he is named as chancellor, and no other chancellor is mentioned. Numerous entries occur of the chancellor being excused from various amerciaments on his property; which, though they were accounted for in the second year, were some of them probably chargeable in the first. The payments, also, arising out of the pleas in Essex and Kent, before him and Henry de Essex, were, with equal

[1] Pipe Rolls, 2, 3, 4 Henry II., 21.

probability, imposed in the preceding year, as the sheriff could seldom collect the money immediately after the charge. With these probabilities, and in the absence of any evidence to the contrary, I cannot entertain a doubt that he was the earliest chancellor of Henry II.

Credit is taken on behalf of that monarch for naming an Englishman to the office, and thus breaking through the practice, which had obtained from the time of the Conquest, of conferring all places of trust and confidence on Normans. It is, however, impossible not to see that the amalgamation of the two races, which one hundred years had produced, must have necessarily tended to destroy the exclusive system; and that the reason upon which it was founded no longer existed. Although the monarch might naturally regard his native land with affection, he would consider England as his dearest inheritance; and the disputed successions of William Rufus, Henry I., and Stephen must have shown how little ground there was for fearing opposition from an Anglo-Saxon claimant. Becket was undoubtedly an Englishman in reference to his own birth, and probably to that of his father also; but whether he was of Norman or Saxon descent, is an undecided question. Though he speaks of his progenitors as citizens of London, it does not follow necessarily that they must therefore have been Saxons: and Fitz-Stephen, his chaplain and biographer, states that a Norman origin was the bond of connection between Gilbert and Archbishop Theobald. But even were he unquestionably a Saxon by lineage as well as birth, the mere desire to flatter that race by his appointment had probably little operation on the mind of Henry, who was much more likely to be influenced in his selection by the recommendation of Theobald, by his own observation of Becket's character, and by his conviction that his acknowledged abilities and popular manners best qualified him to meet the exigences of the time.

During the eight years of Becket's chancellorship, Robert de Beaumont, Earl of Leicester, and Richard de Luci were chief justiciaries; and to the united efforts of these three, aided and encouraged by the wisdom of the king, is to be attributed that amelioration in the state of the country which became visible before many years of the reign had elapsed, in the removal of private oppression, the suppression of robbers, the restoration of property wrongfully withheld, the improvement of agriculture, and the encouragement of all peaceful arts.

In the first and second years of the reign we have seen that the chancellor assisted, with Henry de Essex, in administering justice in Kent and Essex: another entry records that he acted in Lincolnshire and Shropshire in conjunction with the Earl of Leicester[1]; and it may be presumed from the known activity of his disposition, that the rolls of subsequent years exhibit him as a partaker in similar duties.

His more laborious occupations were relieved by those diversions in which the court indulged; his apparent devotion to which could not but be gratifying to a youthful and joyous king, and is said by some to have been assumed for the purpose of riveting the influence he possessed over the royal mind. Nor are less innocent amusements omitted to be charged against him, which, on the other side, are met by an indignant denial. His intimate footing with Henry, however it may have been gained, is undoubted. The free and happy intercourse between them, which bore the appearance of fraternal concord, is enlarged upon by Fitz-Stephen; who relates their playful contest when the king transferred Becket's rich cloak to the shoulders of a beggar; and dwells upon the familiarity with which the king would appear without ceremony at his table, and either take a cup of wine in passing, or seat himself uninvited as a guest.

[1] Pipe Rolls, 2, 3, 4 Henry II., 17. 26. 65. 83. 89. 114.

Henry in these visits could not be ignorant of the extent of Becket's liberality, nor of his general magnificence and profusion. He must have seen the extravagance in which he lived, the number of his attendants, and the gorgeousness of their appointments, the splendour of his furniture, and the richness of his apparel, the hospitality of his table, and the luxurious delicacy of his wines and his viands. He must have been aware that the expenses of such an establishment could not be defrayed solely from the profits of the chancery, and the produce of his ecclesiastical and other preferments; and yet the knowledge produced no dissatisfaction, nor any alteration in Henry's behaviour. On the contrary, he loaded Becket with new benefits, granting him the prebend of Hastings and the wardenship of the castles of Eye and Berkhampstead, to the former of which one hundred and forty knights were attached. The custody also of various vacant bishopricks and abbeys was entrusted to him, from the proceeds of which much of his lavish expenditure was no doubt supplied.

The external dignity of the office of chancellor must have been considerably enhanced by the publicity of Henry's favour, and by the profuseness of the favourite. They formed in fact the first step towards that advanced position which the possessor of the great seal eventually obtained in the councils of the kingdom. It would almost seem that it was with some view of promoting such an advance, that, in the embassy Becket undertook to the court of France in 1158 to ask the Princess Margaret in marriage for Henry's eldest son, he redoubled his habitual magnificence, and exhibited so pompous a cavalcade, the details of which are minutely described by Fitz-Stephen, that the inhabitants of the French towns through which he passed, on hearing that it accompanied the chancellor of England, loudly speculated on the power of the master whose officers made such a dis-

play. At Paris he pursued the same course. He prevented Louis from paying him the customary compliment of providing for the ambassador's expenses, by contriving to anticipate the supply: he distributed his gold and silver, his jewels and plate, and even his rich apparel, in gifts around him; and the sumptuousness of his table surprised even the Parisians, by whom a dish of eels which cost a hundred shillings was not soon forgotten. But he attained his object, and brought back a favourable answer.

In the following year he appeared in a new character. The war of Toulouse broke out, occasioned by Henry's claim to that duchy in right of his wife Eleanor, whose former husband, Louis, King of France, insisted on his side of his power to dispose of it. It was on this occasion that, under the advice of Becket, a payment for every knight's fee under the name of scutage, was first substituted for personal military service; and a new element was thus introduced into national warfare by the employment of mercenaries. Becket at his own expense led to the field no less than seven hundred knights, and a numerous and splendid retinue; heading them on every enterprise, and performing many acts of personal bravery. A French knight named Engelram de Trie was unhorsed by him in single combat, and left his steed as a trophy to the victor. After the retreat of King Henry, Becket remained behind, and with the aid of Henry de Essex took Cahors and other towns, and supported the king's name by his valour and conduct.

These acts, though somewhat inconsistent with his clerical character, and productive therefore of some remarks among his contemporaries, do not appear to have detracted from the general estimation in which he was held, nor to have raised any doubt as to his being elevated eventually to the highest ecclesiastical dignity. The advanced age of his patron Theobald, Archbishop of Canterbury, rendered an early

vacancy probable; and on the occurrence of his death in April, 1161, the king resolved to advance his favourite to the primacy.

The election, however, did not take place till May in the following year; and the delay is attributed by some to Becket's own repugnance to accept the appointment, and the conviction he felt that it would place the king and himself in collision. By others it is ascribed to the remonstrances of the English bishops and the Canterbury monks, together with the warnings of Matilda the Queen-Mother, against the nomination of a man of so active and resolute a disposition. Nevertheless the king, who considered that his own views would be forwarded by this promotion, persisted in his purpose; and Becket was consecrated on June 3, 1162, having been ordained priest on the day before.

Henry soon discovered his mistake. He at once lost a companion, a friend, and a counsellor; and obtained in their stead an opponent to his claims, a rival to his greatness, and a disturber of his peace. To which of the two the blame is to be principally attached, will be decided according to the views of their several partisans, and as they may consider the claims of the state or of the church should have the ascendancy.

Whether the sudden change which Becket made in his mode of life on his attaining the archbishoprick, from a free enjoyment of the luxuries of the world to a course bordering on asceticism, extending to the wearing of horsehair and the infliction of flagellation, which even his contemporaries attribute to him, is or is not to be entirely credited; there is no doubt that a considerable alteration in his conduct was soon apparent. The sacred nature of his office would demand an abstinence from all that would savour of irregularity, and a stricter attention to his external demeanour; and of these the king was not likely to complain. But it must be allowed

that he had reason to consider himself deceived when, almost without notice and certainly contrary to his expectation, Becket shortly afterwards sent in his resignation of the chancellorship, on the pretence of his incompetence to perform the duties of the two offices. As this doubt of his own powers could not have been the result of experience, inasmuch as sufficient time had not elapsed to try them; and as the two offices could not be considered incompatible, several bishops having already held the great seal; Henry might be justly indignant that Becket, far-sighted as he was, should not have anticipated the difficulty, and prepared him for such a determination. He could not, therefore, avoid suspecting that it was a foregone conclusion, and that some other cause had produced it. The stricter course of life which he had already adopted, and the resumption of some of the church's ancient rights which he was then beginning to attempt, in conjunction with his resignation of the great seal, naturally led the king to fear that instead of the able assistant in his plans of government which he had expected, the archbishop was about to become a declared antagonist in all those improvements connected with the clerical order which he contemplated.

The precise time of his retirement from the office of chancellor has not been mentioned; nor do any of the numerous charters that bear his name in that character afford any evidence by which the date can be ascertained. To none of these is his name attached as bearing the two offices of archbishop and chancellor; and it is generally believed that he resigned the latter before the close of the year 1162. The name of his successor has not been discovered; and there is an hiatus of about eleven years in the list of chancellors which has still to be filled up.

I should be glad, were it possible, to terminate my sketch at this period of his legal career. The history of his after-

years offers so many problems difficult to solve, even where both parties agree upon the facts, and so many discrepancies where they differ, that the pursuit of the enquiry is a thankless labour to one indifferent to the pretensions of either of the combatants; satisfied that such pretensions can never again come into controversy, and feeling that, with whatever justice each side was originally supported, the contest eventually became, as most contests do, an alternate exhibition of pride, temper, suspicion, and folly on both parts.

That Becket in the first instance claimed privileges for the church to which no good government could submit, few will attempt to deny; but it must also be admitted that Henry was aiming at a royal independence of papal authority, for which the time was not yet ripe. The first opposition of Becket no doubt led to an increased demand by the king, unaccustomed to be thwarted in his views; and thus those ultimate proceedings were caused, which, by the violence of both parties, introduced the French king for his own political objects into the contest, and terminated in the catastrophe, which not only obliged Henry to desist from his efforts, but made the crown for a time more than ever the slave of the papal power. Without entering into all the details of the conflict, it will be enough to notice the principal incidents in the order of their occurrence.

On Becket's resigning the chancellorship, the king required him to give up the archdeaconry of Canterbury, which he wished to retain; but at the same time he continued to entrust him with the education of prince Henry, his eldest son, who for several years had been under his care; and the prince remained with him till the following May, when Becket proceeded to the Council of Tours.

The archbishop having resolved to resume all the possessions which had ever belonged to his see, claimed among others the custody of the castle of Rochester, because it had

been bestowed on his predecessor; and required the Earl of Clare to do him homage for the castle of Tunbridge, though it had been held by that family of the crown for nearly a hundred years. He went further: on the pretence that he had a right to bestow all churches situated on the manors of his tenants, he presented one of his clerks, named Lawrence, to the church of Eynesford. William, the lord of that manor, however, who was also a tenant of the king, and possessed the advowson, immediately turned out the intruder, whereupon the archbishop incontinently excommunicated him; and it was not without some hard words between the prelate and the king that the sentence was taken off.

This kind of procedure, violent and intemperate as it was, would of course be displeasing to the king, and prompt him to dwell upon and endeavour to restrain other encroachments of the clergy. That body claimed the privilege of having every case, in which any member of it was engaged, tried before its own tribunals, however gross in its character or however obnoxious to the peace of the community. The sentence in the ecclesiastical courts was that of deprivation and loss of orders; operating, of course, as a very slight restraint. The consequence was, that murders and other atrocities by claimants of clerical exemption were sadly numerous. As a remedy for the evil, the king proposed that clerks should for such offences be subject to the same jurisdiction as lay offenders; and that, on conviction, they should be degraded by the church before the secular sentence was executed. This the archbishop resisted as an innovation, contending for these immunities as an inherent right of the church; but, a horrible case of the kind just then occurring, Henry determined to bring to issue a question, in which all who were interested in preserving the public peace joined in wishing him success. Had he confined his endeavours to that object, he must have overcome all opposition.

At a meeting of the prelates at Westminster in October, 1163, he stated his views; and on the bishops, at the instigation of Becket, hesitating to concur, the king asked them whether they would obey the customs of his ancestors. All of them, save one, Hilary, Bishop of Chichester, in answering that they were willing to do so, added the words "saving their order." On hearing this reservation, the king angrily broke up the council, and deprived the archbishop of the custody of the castles of Eye and Berkhampstead.

After some little time the bishops withdrew their opposition, and even Becket consented to retract the objectionable *salvo*. A council was accordingly held at Clarendon in January, 1164, in order to record their assent. There the king required that the ancient customs of the kingdom should be reduced to writing; and they were forthwith drawn up in the form now known as the constitutions of Clarendon. They not only made clerks accused of crimes amenable to the king's courts, and referred all questions of presentation to benefices to be decided there, but prohibited all ecclesiastics from leaving the kingdom without the king's licence, and forbad excommunication to be pronounced against his tenants in chief, and the members of his household. They brought also the patronage of the sees and abbeys more under the royal control, and gave the king power to compel the archbishop to do justice to the suitors in his court.

The barons gladly adopted them, and the bishops acquiesced. Becket alone resisted for some time; but eventually, on the pressing remonstrance of his brethren and others, went at their head to the king, and promised to keep the laws "legitime et bonâ fide." In doing this he can scarcely be excused from the charge of deliberate perjury, committed, as he himself previously said, "to be repented hereafter as I may." His successful solicitation for the pontiff's absolution from his oath would receive its natural interpretation from

the king, and would at once shew the insincerity with which he joined in the application for the pope's confirmance of the constitutions.

It is not to be wondered at that Henry should feel indignant at conduct which Becket's warmest admirers do not pretend to justify; or that the archbishop's request for an interview with the king at Woodstock should be refused. The royal displeasure was greatly increased by two attempts then made by Becket to proceed to Rome in defiance of the constitutions. On both occasions he was baffled by contrary winds; and in a subsequent conference with the king, he was asked whether one kingdom had not room for both, and was advised to return to the duties of his province.

His friendly biographer, Herbert of Bosham, shows that his subsequent proceedings were far from temperate, and not conducted in a manner to soften the anger of the king. In a short time they came again into conflict. John the marshal, an officer of the Exchequer, having a suit in the archbishop's court relative to the manor of Pageham, in Sussex, obtained a writ to remove it, requiring Becket to answer him in the king's court. Instead of appearing personally according to the law, he sent four knights with excuses, which the king deemed frivolous and insufficient.[1] Another day was appointed, namely the 6th of October (1164), when a great council of the bishops and barons had been summoned to meet at Northampton. He was there charged with treason for his omission; and was condemned to be "at the king's mercy," or, in other words, to a forfeiture of all his effects; which was commuted for a fine of 500*l.*

[1] One of these excuses was that John had not sworn his oath of the causes of removal on the Gospels, but on a "Tropaz," "a Book of old Songs," "a Jest Book," as it is described by various authors. The word, however, is "troparium," so called from containing *tropes*, which were, properly, certain versicles sung before the introit, in the service of the Mass. English Review, vi. 71.

Henry was not satisfied with this; but somewhat unfairly caused him to be arraigned on other charges, of which, as far as it appears, he had received no previous notice. He was called upon to refund 500*l.* which he had received as constable of the castles of Eyé and Berkhampstead. He submitted, though he alleged that he had spent more in their repair, and gave security for the amount. It is curious that one of his bondsmen for this money was William de Eynesford[1], the subject of his former excommunication. The next charge was for 500*l.* alleged to have been lent to him by the king during the war of Toulouse. For the payment of this also, though he declared it was a free gift, he was obliged to bind himself. And lastly, a demand was made upon him to account for the monies he had received from the vacant sees and abbeys while under his charge, the amount of which is variously stated as 230,000, 30,000, and 44,000 marks. To answer a charge of such magnitude he demanded, and obtained, a day for deliberation; during which his anxiety produced an illness which delayed the meeting till the following Tuesday. He then proceeded to the council, bearing his cross in his own hands; an unusual proceeding, caused by foolish reports that violence was intended him. The king, however, came not into the hall, but sent to him to know his answer. He declared that he had expended all he had received in the king's service; and that, on being raised to the primacy, he had been expressly discharged from all secular liabilities in the name of the king, by Prince Henry and Richard de Luci, the chief justiciary. He refused, therefore, to account, and appealed to the pope. The bishops endeavoured to dissuade him, but he prohibited them from interfering in the cause. Others attempted to intimidate him, but without effect; and when the Earl of Leicester, at the

[1] Brady's England, i. 385.

head of the barons, came to pronounce judgment against him, Becket interrupted the Earl, and, refusing to hear him, referred the cause to the pope, and slowly retired from the hall.

It is impossible to justify these proceedings. Whatever reason the king might have to be displeased with the bishop's conduct, this was an unprincely mode of showing his resentment, and looked more like oppression than justice.

On Becket's departure from the hall, he was stigmatized by several of the courtiers as a perjurer and a traitor; and showed by his replies that he was by no means deficient in the grosser language of vituperation. Whether he really believed that the king would resort to personal violence may be doubted, but upon this pretence he contrived to escape in the middle of the night from St. Andrew's Monastery, where he lodged, and by a circuitous route to reach Sandwich about a fortnight after, where he embarked in a small boat, and safely landed near Gravelines.

He first took refuge in the monastery of Clair-Marais, near St. Omers, and thence went to that of St. Bertin in the latter town. There Richard de Luci, the chief justiciary, travelling homeward, had an interview with him, but failed in his endeavours to quiet Becket's apprehensions.

Both Pope Alexander and King Louis of France attached themselves to Becket's interests: the one warmly, from political rivalry; the other with more caution, lest Henry should unite himself to the cause of the anti-pope. From both of them Becket had a most honourable reception; first at Soissons from Louis, who furnished him with a train of 300 knights to proceed to the pope at Sens. There he is said by some to have resigned the archbishoprick into the hands of the pontiff, and to have been immediately reinstated. Alexander committed him to the care of the Abbot of Pontigny, a Cistercian monastery about twelve leagues from Sens.

King Henry, on Becket's flight, had sent ambassadors to Louis to demand that the archbishop should be given up; and to Pope Alexander to pray for his deprivation. No sooner had he heard a report of the failure of both missions, than he ordered all the archbishop's property and revenues to be seized, banished all his kindred and attendants, and deprived the clerks attached to him of the income of their preferments. These orders were rigorously executed, chiefly by Ranulph de Broc, an old enemy of Becket; and the unfortunate relations, without regard to age or sex, were transported beyond sea in the depth of winter; but were hospitably received and provided for in Flanders and France.

Becket remained at Pontigny nearly two years, habited as a Cistercian monk, but served as became his dignity. Amid the richer viands, however, were placed the beans and bran which formed the ordinary meals of the brethren. To these he is said to have confined himself till the unsuitable diet produced a fit of illness, after which his mortification was evinced rather in the scantiness than the plainness of his food. In this asylum he pursued a course of study ill-suited for one of his temperament and austere habit of life. Although his friend, John of Salisbury, remonstrated with him, and, pointing out its inflammatory tendency, recommended the perusal of the psalms and St. Gregory's Books of Morals, wisely asking him, "Who ever rises pricked in heart from reading laws or even canons?" the prelate still persisted; and the fruits were soon apparent.

The correspondence during this period was most voluminous. According to the opinion of one who has read much of it, it does not "give a favourable idea of the time. There is abundance of violence, fraud, and insincerity; mean selfishness and artifice trying to veil themselves under fine professions and language; cant, too evidently known to be cant by those who used it; strange tossing to and fro of allegorically

misapplied scripture; duplicity of pope, corruptness of cardinals, and other high dignitaries; intemperance of Becket and Henry; hypocrisy of Louis; politic smoothness of Foliot." [1]

A negotiation opened between the king and archbishop had failed. It began in smoothness, proceeded in heat, and ended in threats and fury. Becket had been restrained by the pope from taking any steps against the king until after Easter, 1166; and Henry, when that time arrived, thought it best to anticipate the sentence of excommunication which he expected Becket would pronounce by appealing to the pope. Envoys were sent to Pontigny to serve the notice of appeal, but were obliged to content themselves with reading it aloud, as Becket had gone on a pilgrimage to Soissons. There he remained a few days, and then proceeded to Vezelay, where, on the Sunday after Ascension-day, after preaching at high mass, he, in the presence of a vast concourse of people, without any previous communication to his clerks of his intention, pronounced sentence of excommunication against John of Oxford, Richard de Luci, and others; anathematized six of the constitutions of Clarendon, and all who should act upon them; suspended the Bishop of Salisbury; and summoned King Henry to repent on pain of being anathematized if he should persist in his courses. The English bishops appealed to the pope, fixing the following Ascension-day as the term for hearing.

It was not to be supposed that Henry would permit such a provocation to pass unnoticed; and accordingly, in the following September, he caused an intimation to be given at a general chapter of Cistercians, that if the archbishop were admitted into any of their monasteries, he would confiscate all the English possessions of their order. The consequence, of course, was his retirement from Pontigny; and

[1] English Review, vi. 383.

the French king having desired him to choose a residence in his dominions, he selected a monastery near Sens.

The pope had by this time removed to Rome, whither Henry despatched a mission. At the head of it was John of Oxford, who contrived not only to procure a reversal of his excommunication, and a confirmation of his appointment to the deanery of Salisbury, but also to obtain the nomination of two cardinal legates, William of Pavia, and Otho, during the continuance of whose commission, Becket's power was entirely inoperative; and the pope prohibited every body but himself from excommunicating the king. Becket's indignation appears in violent and most offensive letters, in which the pope himself is not exempted from his vehemence. The cardinals made some efforts to procure a reconciliation, but through the obstinacy of both parties failed, and returned to Rome.

These proceedings occupied nearly a year; during which the term assigned for the appeal of the English bishops had expired. Becket refused a second appeal they wished to enter, and towards the close of 1167 extended his excommunications to the Bishop of London, Geoffrey Ridel, his own archdeacon (whom, as an instance of his choice of expressions, he called, in one of his letters, "Archidiabolus noster"), and a long list of others, among whom were so many about the court of King Henry, that "there was hardly one that could offer him the kiss of peace at mass, but such as were excommunicated either by name or implicitly."

The Roman Pontiff was puzzled what to do between Henry's remonstrances and Becket's representations, supported as the latter were by the French king. Irresolute to act firmly on either side, he took a middle course. He endeavoured to effect a reconciliation; and, dispatching envoys for the purpose, he suspended the sentence Becket had pronounced till the following Lent; that is, Lent in 1169, for

great part of the preceding year had been then exhausted in the diplomatic negotiations.

The world had now begun to be tired of the quarrel. To the pope, Becket's pertinacity could be productive of nothing but annoyance; Henry, feeling that his kingdom and his clergy were kept in a state of continual anxiety, was sincerely desirous of some accommodation; Louis was not unwilling to get rid of a troublesome guest; and Becket's own friends and dependents were sighing after a restoration to their former ease. Becket alone refused to make any concession. At an interview between Henry and Louis at Montmirail, in January, 1169, Becket was admitted, when, after lamenting the differences which had arisen, and throwing himself upon the king's mercy, the inflexible archbishop qualified his submission by the words "salvo honore Dei." Henry was indignant; justly considering that the reservation was intended to, or at least would, warrant any future resistance: but, after reproaching him with his pride and ingratitude, declared that he would be satisfied if Becket would act towards him with the same submission which the greatest of former primates had shown to the least powerful of his predecessors. Becket, however, evaded the proposal. Even the King of France was disgusted; and the meeting terminated without further colloquy.

Becket accordingly prepared to retire from the French territory; when Louis, from a new quarrel with Henry, again changed his policy. On the termination of Lent, therefore, Becket resumed hostilities by renewing at Clairvaux the excommunications, and including among the denounced the Bishop of Salisbury and others. Notwithstanding the efforts made to prevent the admission into England of any letters from Becket, he contrived that the sentence against Foliot, Bishop of London, should be delivered at the altar of St. Paul's on the next Ascension-day.

The pope was annoyed, and directed that further proceedings should be stayed till he had tried the effect of another mission. This led to a second interview between Becket and the two kings, which took place at Montmartre, near Paris, on November 18, 1169, and had nearly led to a friendly result; when Becket demanded the kiss of peace, which Henry, in consequence of a foolish oath he had taken, having refused, the treaty was again broken off. Becket now threatened to place the kingdom under an interdict, and even to excommunicate the king: and the pope renewed his efforts to produce a reconciliation. Rotrou, Archbishop of Rouen, one of the new papal commissioners, absolved the Bishop of London; and Becket's letter of complaint shows that he was as little inclined to pay respect to the pope as to the king, when his own cause was not supported. He says, "in the court of Rome the Lord's side is always sacrificed; Barabbas escapes, and Christ is put to death."

Becket soon found a new grievance in the Archbishop of York having officiated at the coronation of the king's eldest son Henry, which was solemnized at Westminster, on Sunday, June 14, 1170: that privilege rightfully belonging to him. This, however, did not prevent a meeting taking place near Freteval, on the 22nd of the following July, between him and Henry; when a formal reconciliation was concluded, the king promising to give him the kiss of peace in his own dominions. A full restoration of Becket's possessions, and those of his adherents, the advance of a sum of money to pay his debts, and amends for the injury he had sustained in the late coronation, were among the articles agreed on; and the archbishop was to return to the exercise of his functions, and to show all due obedience to his earthly sovereign.

The performance both of the king's promises and Becket's return was delayed; but, after two more interviews at Tours, the last of which was a friendly one, Becket resolved

to set out, although Louis advised him first to insist on receiving the kiss of peace. Disappointed of meeting Henry at Rouen, as promised, and of receiving a supply for his expenses, he was obliged to submit to the escort of his warmest adversary, John of Oxford, and to borrow 300*l.* from the Archbishop of Rouen.

In the mean time he had received from Rome letters suspending the Archbishop of York and other prelates for assisting in the coronation, and renewing the excommunication which had been pronounced against the Bishops of London and Salisbury. Receiving these after the reconciliation, he might have suppressed them, and little doubt can exist that had he been acting with sincerity and good faith, he would have taken measures for the purpose. On the contrary, however, he forwarded them to England before he embarked; thus exhibiting the intolerance of his spirit, and exciting the greatest exasperation. He sailed from Witsand, near Calais, and landed on December 1, 1170, at Sandwich, where John of Oxford protected him from the threatened interruption of the sheriff of Kent and others.

His reception at Canterbury, after an absence of more than six years, was most enthusiastic; and his progress in the following week to see the young king was something in the nature of a triumph. His conduct, however, with reference to the bishops being known, he received orders to return to his diocese, without obtaining an interview. When there, he occupied himself till Christmas in exercising his archiepiscopal functions; Ranulph de Broc and his other enemies still offering him every species of annoyance.

On Christmas-day, at high mass, he preached to the people, and after affecting them by a reference to one martyr among their archbishops, and the possibility that there might be a second, he concluded with one of those furious denouncements by which he dealt "damnation round the land;" uttering in

a tone "fierce, indignant, fiery and bold," a vehement invective against his enemies, and pronouncing sentence of excommunication against Ranulph de Broc and his brother Robert, and also against Nigel de Sackville, a court chaplain.

The Archbishop of York and the excommunicated bishops had not been idle. They had sailed to Normandy, and meeting the king near Bayeux, had communicated to him the recent proceedings of Becket. Henry's anger knew no bounds, and in the heat of it he unguardedly dropped words reflecting on the cowardice of his courtiers for suffering him to be so long insulted by a turbulent priest. Four knights then present, Reginald Fitz-Urse, William de Tracy, Hugh de Moreville, and Richard Brito, interpreting these unhappy words too readily, at once embarked for England, and repaired to Saltwood, the castle of Ranulph de Broc, where they arrived on December 28. Henry, on their departure from the court, suspected their intention, and instantly despatched the Earl of Mandeville and two others with orders to overtake them, and to arrest the archbishop. But they did not arrive till the tragedy was completed.

On Tuesday, December 29, the knights arrived at Canterbury, and intruding into the chamber of the archbishop, they demanded of him the withdrawal of the bishops' excommunication. Becket's answer was proud and firm. He offered to absolve the Bishops of London and Salisbury if they would swear to submit to the determination of the church; but he said the pope alone had jurisdiction over the archbishop. On reminding three of the knights that they had been his vassals, they broke into fury, and the discussion ended with most violent threats on their retirement from the room.

It was now the hour of vespers; and the monks and clergy thinking he would be more safe in the church, hurried him through the cloisters. But the knights also, regardless of the sanctity of the place, had obtained an entrance, fully

armed; and calling out "Where is the traitor?" and then, on receiving no answer, "Where is the archbishop?" Becket replied, "Here I am; no traitor, but a priest of God." They repeated their demand for the bishops' absolution, which he met by a repetition of his denial; adding that he was ready to die, but commanding them not to touch his people. The knights then endeavoured to remove him from the church, but finding their efforts to drag him away unavailing, Fitz-Urse struck him on the head with his sword, wounding at the same time Grim, his cross-bearer and biographer; and Tracy and Brito repeating the blows, the archbishop was soon a breathless corpse at their feet. Hugh de Moreville did not strike Becket, being employed in keeping off interference; and the four rushing out of the church, repaired to Hugh de Moreville's castle in Yorkshire.

Though the above four knights only are recorded, other persons were apparently engaged in the atrocious project. Robert de Broc, who joined them, pointed out the private passage to the cloisters; and Robert Fitz-Ralph, or Fitz-Ranulph, is spoken of by Dugdale as having been concerned in it. William, the son of the latter, was a justicier in this reign, and will be mentioned in a subsequent page.

Thus terminated the life of one, whose character, though distinguished by sterling qualities, was alloyed with many human imperfections: to which the preponderance is to be given is still, and seems likely to be, a question to be agitated by historians and biographers. Too frequently they become the advocates of the one or the other party, instead of being impartial judges between them; and the difficulty must be admitted of defining the precise line which divides firmness from obstinacy, energy from intemperance, and an honest zeal in claiming the privileges of one order from an insidious encroachment on the prerogatives of another. Whatever opinion may be formed of the claims made by Becket on

behalf of the church, few will praise him for temperance in his enforcement of them, or consider that he adopted the wisest course to obtain their recognition: and while none will deny the extent of his acquirements or the brilliancy of his talents, many will attribute his canonization more to the swords of his murderers than to the virtues of his life.

Two years after his assassination he was canonized; and his body, which the monks had hurriedly buried without ceremony in the crypt, from fear that it might otherwise be exposed to indignity, was removed in 1221 to a chapel prepared for its reception, where his shrine for many subsequent ages was visited by pilgrims from all parts, whom the successive popes, to keep alive the natural horror which his martyrdom had excited, and to connect it with religious zeal for papal supremacy, assiduously encouraged by granting them extraordinary indulgences. The riches which superstition lavished on this shrine were enormous, and continued to flow in, till Henry VIII., assuming the title of defender of the faith, and deeming Becket's example a provocation to opposition, ordered the shrine to be destroyed, seized the accumulated treasures, and, directing his bones to be burned and his ashes to be scattered to the winds, stigmatized him as a rebel and traitor to his prince, and struck his name from the calendar of saints.

Becket had two sisters who survived him. One of them, Mary, was made Abbess of Barking, in Essex, in 1173[1]: and the other, Agnes, was married to Thomas Fitz-Theobald de Helles; by whom, about the end of Henry's reign, was founded a hospital in London, on the land which had belonged to Gilbert Becket, and where Thomas was born. It was called the Hospital of St. Thomas the Martyr, of Acon, and consisted of a master and several brethren of a particular

[1] Dugdale's Monast. i. 437.

order, professing the rule of St. Augustin, about that time instituted in the Holy Land. It of course did not escape the dissolution under Henry VIII., and now belongs to the Mercers' Company, part of it being called the Mercers' Chapel.[1]

BELET, MICHAEL.

JUST. ITIN. 1177. JUST. 1182.

See under the Reigns of Richard I. and John.

BENDINGS, WILLIAM DE.

JUST. 1179.

WHEN the great council, which met at Windsor in 1179, 25 Henry II., divided the kingdom into four districts, and sent wise and learned men into each for the administration of justice, William de Bendings was selected as one of the six justiciers to whom the northern counties were appropriated, and who were also specially constituted to sit in the Curia Regis, to hear the plaints of the people. This seems to have been the first instance of the nomination of extra judges in the king's courts; the prelates and barons of the kingdom, with the great officers of state, having hitherto acted almost entirely in that capacity.

His name does not appear as a justicier beyond the following year; but in 29 & 30 Henry II. he held the office of sheriff of the united counties of Dorset and Somerset.

Previously to his elevation to the Bench, he is mentioned as one of four commissioners sent to Ireland in 1174 to settle the differences there, and to bring over Raymond, whom the king had recalled.

He was alive in the beginning of the reign of Richard I.[2]

[1] Dugdale's Monast. vi. 645.

[2] Dugdale's Chron. Series; Madox's Exch. i. 94. 138. 285.; Brady's England, 363.; Pipe Roll, 1 Richard I.

BEVERLEY, PROVOST OF. *See* THOMAS BECKET.

BIDUN, WALTER DE.

? CHANCELLOR, . . .

DUGDALE is the only writer who names Walter de Bidun as chancellor to Henry II.; but on looking to the authority to which he refers, it seems surprising that he should have introduced him into the list at all; but still more so that he should have placed him in the reign of that king. It is a grant made to the abbey of Holme-cultria, in Cumberland, by Henry, son of David, King of Scotland, the second witness to which is "Gualtero de Bidun, regis Cancellario." Both King David and his son Henry died before the accession of King Henry II.: and as David is the only king mentioned in the grant, the natural inference would be that Walter de Bidun was chancellor to the Scottish rather than the English monarch. Adulphus, Bishop of Carlisle (who died in 1156), is the first witness: and Carlisle had been given by King Stephen in 1136 to Prince Henry of Scotland, in augmentation of the honour of Huntingdon. All doubt, however, of Walter de Bidun being a Scottish chancellor will be removed by the fact that he is a witness, as chancellor, to a charter dated Jedworth, of William the Lyon, King of Scotland, granted to William de Veteri Ponte.[1]

BOCLAND, HUGH DE.

JUST. ITIN. 1173.

THE relationship between this Hugh de Bocland and his namesake mentioned in the reign of Henry I. does not ap-

[1] Leland's Coll. iii. 359.; Robertson's Index to Scottish Royal Charters, 179. No. 137.

pear. The first mention I find of him is in 4 Henry II., 1158, when he was excused from the donum of Berkshire.[1] In 12 Henry II., 1166, he certified that he held two knights' fees and a half in that county, and was sheriff of it from 16 to 22 Henry II., 1170 to 1176. He acted as one of the justices itinerant in 19 Henry II., 1173, to set the assize on the king's demesnes in Devonshire; and in the following year in his own county of Berks.[2]

His son William, who was sheriff of Cornwall, died leaving an only daughter named Joane, whose husband paid 500 marks for livery of her lands in the counties of Bedford, Hertford, Buckingham, Oxford, and Berks.[3]

BOTELER, ALEXANDER LE, or PINCERNA.

JUST. ITIN. 1174.

THE history of the peerage shows several baronies which were held by individuals who were called by this name from the office they filled in the families of royal and noble persons. The butler of the great Earl of Leicester in the first Henry's reign, was the founder of the now extinct baronies of Oversley and Wemme, and the ancestor of the baron of Sudley: and from the butler of the Earl of Chester in the reign of Hen. II., the barony of Werington was derived. In the present Duke of Norfolk, the blood of William de Albini, the pincerna or butler of King Henry I., continues to flow; and five titles in the English and Irish peerage, commencing with the Marquis of Ormond, owe their origin to Theobald le Boteler, the chief butler of Ireland under Henry II.

In what family Alexander le Boteler held that office does not appear; nor does Madox give any further information concerning him, than that he, with Ralph Fitz-Stephen

[1] Pipe Rolls, 2, 3, 4 Henry II., 124. [2] Madox's Exch. i. 124, 701.
[3] Ibid. ii. 236.; Dugdale's Baronage, i. 680.: Fuller's Worthies, Berks.

the sheriff, and Philip Fitz-Ernise, were the justices errant to make the assize of the king's demesnes in Gloucestershire in 20 Henry II., 1174, to which it appears by the record they were appointed by a writ of Richard de Luci, the chief justiciary.[1]

BRAIOSA, WILLIAM DE.

JUST. ITIN. 1174.

See under the reign of Richard I.

BRITO, RALPH.

JUST. ITIN. 1177.

RALPH BRITO had the custody of the honor of Bologne and of the land of Henry of Essex for many years; and the rolls from 15 to 31 Henry II. contain entries of his accounting for them.[2] In 23 Henry II., 1177, Robert Mantel and he, as justiciaries, fixed the aid to be paid in the counties of Norfolk, Suffolk, Essex, and Hertford; and in 25 Henry II. he was selected to act as a justice itinerant in one of the four divisions into which the council of Windsor then apportioned the kingdom; he being assigned to the home counties.[3]

It is curious, however, that in the extracts given by Madox from the rolls of that and the following years, showing the names of those who acted in those counties as justices itinerant, he is never once mentioned. Notwithstanding this, it is possible he may have acted, because the words "and their companions" are often added to those who are named.

By the roll of 1 Richard I. it appears that Lageford and Chigwell in Essex belonged to him. The manor of Chigwell descended to his son Robert; and in 2 John an inquisition was directed to inquire whether it belonged by

[1] Madox's Exch. i. 123.
[2] Ibid. i. 253. &c., ii. 200. &c.
[3] Ibid. i. 130.; Dugdale's Chron. Series.

hereditary right to Robert Brito's son William, then an infant.[1] This William Brito became a justiciary in the reign of Henry III.

BRIWER, WILLIAM.

JUST. ITIN. 1187.

See under the reigns of Richard I., John, and Henry III.

CANTERBURY, ARCHBISHOPS OF. *See* T. BECKET, H. WALTER.

CANTERBURY, ARCHDEACONS OF. *See* T. BECKET, G. RIDEL.

CHERTSEY, ABBOT OF. *See* AYMER.

CHICHESTER, ARCHDEACONS OF. *See* SEFRED, JOSCELINE.

CHICHESTER, DEAN and BISHOP OF. *See* SEFRED.

CLARE, ROGER DE, EARL OF CLARE and HERTFORD.

? JUST. ITIN. 1170.

THE only ground for inserting the name of the Earl of Clare as an itinerant judge is, that he is among the twelve so designated in 1170 by Dugdale. The reasons have been already stated for considering that they did not really bear that character, but that they were rather inquisitors into the abuses attributed to the sheriffs and other officers of the king. The Earl here mentioned was Earl Roger, who succeeded his brother Gilbert in 16 Stephen, 1151. They were descended from Richard Fitz-Gilbert, called Richard de Benefacta, or Bienfait, who has been noticed under the reign of William I. Among other great possessions granted to him by the Conqueror was Clare in Suffolk, from whence the family took their title. Richard was succeeded by his eldest son Gilbert, surnamed Tunbridge, from the place of his residence; whose

[1] Madox's Exch. i. 434. 703.; Pipe Roll, 1 Richard I., 25.

son Richard was created Earl of Hertford; and, being slain by the Welsh in 1139, left, among other children, two sons, the above-mentioned Gilbert, and this Earl Roger.

In 3 Henry II. Earl Roger obtained the king's grant of all lands he could win in Wales, and accordingly marched a great army there, and fortified divers castles in the neighbourhood of Cardigan.

One of the first acts of Becket, after he was raised to the archbishoprick of Canterbury, was to summon the Earl in 9 Henry II., 1163, to do him homage for the castle of Tunbridge. He refused to appear, asserting that he held it by military service of the crown; and as the king abetted him in his plea, the archbishop refrained from pursuing the claim. His grants to religious houses, which were numerous and munificent, are stated in detail by Dugdale. After his death in 1173, 19 Henry II., Matilda his widow, the daughter of James de St. Hilaire, married William de Albini, Earl of Arundel, and the earldoms of Clare and Hertford descended to his son Richard. This Richard and his son Gilbert, who became Earl of Gloucester *jure matris*, were both among the twenty-five barons appointed to enforce the observance of Magna Charta in the reign of King John. All the earldoms became extinct in 1313, on the death of Gilbert, the tenth earl, without issue.[1]

CLAREMBALD, Abbot of St. Augustine's, Canterbury.

? Just. Itin. 1170.

Dugdale places the "Abbot of St. Augustine's, Canterbury," at the head of the before-mentioned twelve, whom he calls "Justiciarii Itinerantes" into certain counties in the

[1] Dugdale's Baronage, i. 209.; Hasted's Kent, v. 159. 203.

year 1170; but who were rather inquisitors into the conduct of the sheriffs and other officers of the king.

The Abbot of St. Augustine's at that time was Clarembald, who was either a secular, or, as some say, a fugitive and apostate monk in Normandy. Obtruded by King Henry in 1163 on the monks as their abbot, they refused to permit him to sit in their chapter or to celebrate any of the holy offices, and so interfered as to prevent him from receiving the archbishop's benediction. Notwithstanding this opposition, he contrived to possess himself of the temporalities, and to retain them for fifteen years, when, on the representation of the monks that he was a bad man and had wasted the revenues of the monastery, a papal mandate was directed to the Bishops of Exeter and Worcester and the Abbot of Faversham, under which he was deposed in 1176. During his time the greater part of the abbey was destroyed by a fire in 1168.[1]

CLERK, JOHN LE.

JUST. ITIN. 1174.

IN 20 Henry II., 1174, the assize or tallage of the united counties of Nottingham and Derby was set by the following itinerant justices; viz. William Basset, John Malduit, "et Johannem Clericum."[2] Whether this John was a clerk of the Exchequer sent down to assist, or a clergyman resident in one of those counties, or a person who bore that designation as his surname, it would be useless to inquire.

CLEVELAND, ARCHDEACON OF. *See* HUGH MURDAC.
COLCHESTER, ARCHDEACON OF. *See* RALPH.

[1] Dugdale's Monast. (1846), i. 122.; Weever, 255.; Hasted's Kent, xii. 190.
[2] Madox's Exch. i. 124.

COLEVILL, GILBERT DE.

Just. 1182.

THERE is no other ground for placing Gilbert de Colevill among the justiciaries of Henry II. than that his name appears on one occasion in a fine of the twenty-eighth year of that reign as being present in the king's court at Westminster, when it was acknowledged.[1] As he is not again mentioned in a judicial character, it is possible that he merely held some official post there which required his attendance. I cannot find with any certainty whether he was a member of the family of Colevill, holding about this time a barony in Yorkshire, the head of which was summoned to parliament at the end of the reign of Henry III.

COLUMBIERS, GILBERT DE.

Just. Itin. 1177.

GILBERT DE COLUMBIERS, or Columbariis, was of a Norman family, who flourished about this time. He is mentioned only once by Madox as a justice itinerant into Wiltshire on the roll of 23 Henry II., 1177[2]; and, perhaps, was a sergeant or officer of the court appointed on that occasion to assist the other judges, in the same manner as now sometimes occurs. He held a fourth part of a knight's fee in England of William de Roumare: and Philip de Columbiers, probably his son, was fermor of the forest of Roumare, in Normandy, in 1180.[3]

[1] Mr. Hunter's Pref. to Fines of Richard I. and John, p. xxi.; Madox's Exch. i. 113.

[2] Ibid. i. 131.

[3] Rot. Scacc. Normanniæ; Stapleton's Observations, ii. clx.

CONSTANTIIS, WALTER DE, ARCHDEACON OF OXFORD; afterwards BISHOP OF LINCOLN and ARCHBISHOP OF ROUEN.

VICE-CHANCELLOR, 1173.

See under the Reign of Richard I.

CORNHILL, GERVASE DE.

JUST. ITIN. 1169. JUST. 1182.

GERVASE DE CORNHILL was so called from the ward of that name in London, where probably he resided. He was clearly a man of high note and authority there, and in 2, 3, 6, & 7 Henry II. was sheriff[1]; an officer in whom the temporal government of the city was then vested. After the latter year he is not noticed in connection with the metropolis; but his son Henry was elected one of the first bailiffs in 1189, 1 Richard I. His next residence was in Surrey, of which county he was appointed sheriff in 10 Henry II., 1164, and he remained in that office, with the exception of one year, until 29 Henry II., 1183. During the latter year the name of Henry, his son, was added, either on account of his infirmity or death.

In 15 Henry II. and for the seven succeeding years, he held the same responsible office in Kent, where he had a seat at Lukedale, in the parish of Littlebourne. In the second of these years, Reginald de Warenne was joined with him, and in the last, Robert Fitz-Bernard.[2]

He sided so strongly with the king in the contest with Becket, that the archbishop, previously to his return, was cautioned that if he landed in Kent, the sheriff, with Ranulph de Broc and Reginald de Warenne, had publicly threatened that they would cut off his head. Becket, how-

[1] Fuller's Worthies, London; Madox's Exch. i. 204. 602.
[2] Fuller's Worthies, Surrey and Kent.

ever, ventured; and though, on his arrival at Sandwich harbour, Gervase and the other two came armed, and accompanied by a band of soldiers, their intentions, whatever they were, were frustrated by John of Oxford, whose interference prevented them even from searching his luggage for papers.

Among the justices itinerant in the 15, 16, 20, & 23 Henry II., 1169—1177, his name appears as acting in the counties of Devon, Surrey, Buckingham, Bedford, Sussex, and Kent.[1] It does not clearly appear whether at that time he performed the same duties in the Curia Regis; but it is certain that he attended there in 28 Henry II., 1182, as his name is inserted as one of the barons and justiciers before whom fines of that year were taken.[2]

From the termination of his sheriffalty in Surrey, it may be presumed that his death occurred in 29 or 30 Henry II. In the 32d year of that reign, on his son Henry being charged with 31*l.* 2*s.* 5*d.* for the old ferm of Kent, he alleged that his father had laid out far more than that sum in liveries and appointments for ships, and for knights, and for sergeants, by the express command of the barons of the king's court, in the time of the war; and an entry on the roll proves that he was so employed in 20 Henry II.[3]

He left three sons, Henry, Reginald, and Ralph; the two former of whom held the office of sheriff of Kent for several years. Henry was bailiff of London, as before mentioned, and also sheriff of Surrey. He was chancellor of St. Paul's, and had the management of the Mint (Cambium) of England in 3 Richard I. Reginald will be mentioned as a justice itinerant in the reign of John.[4]

[1] Madox's Exch. i. 123. 132. 143, 144.
[2] Ibid. i. 113.; Preface to Fines of Richard I. and John.
[3] Madox's Exch. i. 220.
[4] Hasted's Kent, i. 178.; Lord Lyttelton's Henry II., ii. 583.

CRESSI, HUGH DE.

JUST. ITIN. 1175. JUST. 1177.

FOR six successive years of this reign, commencing 21 Henry II., 1175, Hugh de Cressi was employed as one of the justices itinerant, his circuits extending over fifteen counties[1]; and in 1177 his name appears among the king's regular justiciers at Westminster.[2]

He was a Norman by birth, and had been some time previously attached to the king's service, accompanying him in 1172 to Ireland, where he was a witness to the royal charter by which the city of Dublin was granted to the men of Bristol.[3] That he added military to his judicial services is shown by his having the custody of the tower of Rouen in 1180 at a salary of 200*l.* a year, and by a grant which he received in 1184, 30 Henry II., of 100*l.* on the Norman roll, for the soldiers whom he led in the war of Poictou.[4]

He married Margaret, the daughter and heir of William de Cayneto, or Quesnay, who survived him, and afterwards became the wife of Robert Fitz-Roger, lord of Clavering, in Essex. According to the chancellor's roll of 3 John, her second husband in 9 Richard I. fined one hundred marks for the marriage of the *daughter* and *heir* of Hugh de Cressi[5]; but this is probably an error, substituting the feminine for the masculine, as he clearly left a son named Roger, who was in the wardship of this Robert Fitz-Roger till his majority, in 1205, when he obtained possession of his father's lands in Suffolk, Sussex, and Lincoln.[6]

The barony does not appear to have continued beyond the

[1] Dugdale's Chron. Series.
[2] Madox's Exch. i. 94.
[3] Lord Lyttelton's Henry II., iv.
[4] Rot. Scacc. Normanniæ, i. 70. 115.; Stapleton's Observations, cxi. cxxxviii.
[5] Rot. Canc. 3 John, referring to Roll of 9 Richard I.
[6] Rot. Claus. 7 John, i. 38.

fifth generation, finishing with William de Cressi, who was summoned to parliament by Edward I. in 1294 and 1297, but not afterwards.[1]

CUMIN, JOHN, Archbishop of Dublin.

Just. Itin. 1169. Just. 1179.

John Cumin, or Comyn, a monk of Evesham, and then a canon of St. Paul's, was one of the chaplains of the king, who employed him in several important embassies. In 1164 he was sent to the emperor on the subject of the anti-pope, and by his long stay there caused considerable uneasiness to Pope Alexander and the adherents of Becket. Again, in 1166, he was one of the three ministers despatched to Rome, where they succeeded not only in obtaining the appointment of two cardinals to hear and to determine the dispute with Becket, but also in bringing back to the king the letters which Becket had addressed to the pope, and which any other person had written in his favour.

In 15 Henry II., 1169, and the five following years, his name appears as one of the itinerant justices into the counties of Dorset, Somerset, Wilts, Devon, Hants, Gloucester, and Hereford[2]; and it seems probable that he held a responsible office in the Exchequer, as in 1170 he had the custody of the bishopricks of Hereford and Bath, then vacant; and in 1180 William Malduit, the chamberlain, and he were employed to convey the treasury from Northampton to Nottingham; for the carriage of which the sheriff of the former county had an allowance of five shillings.[3]

When the council of Windsor in 1179, 25 Henry II., divided the kingdom into four parts for judicial purposes, he

[1] Dugdale's Baronage, i. 106. (Clavering), and 708. (Cressi); Nicolas's Synopsis of the Peerage.

[2] Madox's Exch. i. 93. &c.

[3] Ibid. i. 289.

was one of the six justiciers who were not only appointed to act in the northern counties, but were also specially constituted to hear the complaints of the people in the Curia Regis.[1] His services were not long unrewarded. Two years afterwards the king selected him, as one devoted to his interests, and showing vigour and abilities both for secular and ecclesiastical affairs, to succeed Laurence O'Toole in the archbishoprick of Dublin; to which he was consecrated at Rome in 1182. Before this ceremony was performed, he received priest's orders from the pope, which, it would seem, neither his canonry nor his chaplaincy required. There are, indeed, several instances of persons holding higher rank in the church without being priests. Even in this reign, Thomas Becket, Walter de Constantiis, and Geoffrey Plantagenet, who were respectively Archdeacons of Canterbury, Oxford, and Lincoln, are examples of this fact; the two first not having been ordained priests till raised to the episcopal bench; and the latter resigning his see rather than thus qualify himself for retaining it. In 1184, John Cumin was present in Ireland performing his episcopal functions; and in 1186 he presided at a provincial synod, for the better regulation of the manners and discipline of the Irish clergy. He lived till 1213, when he was succeeded in the archbishoprick by Henry de London.[2]

DAMMARTIN, MANASERIUS DE.

? JUST. ITIN. 1170.

THIS is another of the justices itinerant named by Dugdale under the year 1170, but who have been already shown to

[1] Dugdale's Chron. Series.

[2] Brady's England, 372.; Lord Lyttelton's Henry II., ii. 390. 442., iii. 417. 490.; Leland's History of Ireland, i. 138. 195.; Dugdale's Orig. Jurid. 22.

be rather commissioners to inquire into the abuses of the sheriffs of the different counties.

Some branches of the family of Dammartin appear to have been settled in Surrey, and some in Norfolk: but of this Manaserius I can find nothing further.

DANIEL, Abbot of Chertsey. *See* Aymer.

DAVENCESTER, PHILIP DE.

Just. 1165.

In 11 Henry II., 1165, a charter between the abbots of St. Albans and Westminster was executed at the Exchequer, "assidentibus justiciis Regis," Nigel, Bishop of Ely, and thirteen others, the last of whom is "Philippo de Davencestriæ" (Daventry), without any designation of the office he held.[1] He appears to have been sheriff of the counties of Cambridge and Huntingdon for three years, from 13 Henry II.[2]

DENE, RALPH DE.

? Just. Itin. 1170.

The last of the list of twelve inquisitors against the sheriffs in 1170, for Kent, Surrey, &c., who are called justices itinerant by Dugdale, is Ralph de Dene. He was of a Sussex family, in which county he had considerable property, and held a knight's fee, and half a virgate besides, under the Bishop of Chichester. He settled some canons of the Præmonstratensian order at Ottham in Sussex; who were subsequently removed, first to Brockley, in Kent, and then to Bayham Abbey, in Sussex. His daughter Ela married

[1] Madox's Exch. i. 44.

[2] Fuller's Worthies, Cambridge.

Jordan de Saukeville, the grandfather of the justice itinerant of that name in the reign of Henry III.[1]

DERBY, ARCHDEACON OF. *See* G. DE LUCI.

DOVER, JOHN DE.

JUST. ITIN. 1174.

THE assize of the king's demesnes in Warwickshire and Leicestershire, in 20 Henry II., 1174, was made by John de Dover and his companions, who were, according to Madox, the justices errant for those counties.[2] By the great roll of 31 Henry II., it appears that he had or claimed lands in Garcote and Whittesage, in one of those counties.[3]

I am inclined to think that this John de Dover was the son of Hugh de Dover, Lord of Chilham, in Kent, and father of Fulbert de Dover; although Dugdale does not name him, but states that Fulbert succeeded to Hugh. An interval, however, of twenty-six years occurs between the last incident he mentions of Hugh's life (14 Henry II., 1168) and the first of that of Fulbert (6 Richard I., 1194), which requires to be supplied; and the following entries on the rolls seem satisfactorily to do so. In that of 18 Henry II., 1172, John de Dover pays 14*l.* for his scutage in Kent, as one of those who did not go into Ireland, or send money or knights there.[4] That of 10 Richard I., 1198, proves that the name of the father of Fulbert was John, and not Hugh, being an entry of a discharge to Fulbert from debts which John his father had owed to certain Jews.[5]

The family of Dover commenced in the Conqueror's time

[1] Madox's Exch. i. 576., ii. 78.; Hasted's Kent, i. 356.; Dugdale's Monast. (1846), vi. 911.

[2] Madox's Exch. i. 125.

[3] Ibid. i. 630.

[4] Ibid. i. 97.

[5] Ibid. i. 252.

with the father of Hugh, also named Fulbert de Dover, Lord of Chilham. It became extinct in the male branch in the reign of Edward I.; Isabel, the sister of the last baron, marrying John, Earl of Athol, in Scotland.[1]

DUBLIN, ARCHBISHOP OF. *See* J. CUMIN.
ELY, ARCHDEACON OF. *See* RICHARD FITZ-NIGEL.
ELY, BISHOP OF. *See* NIGEL, G. RIDEL.

ESCURIS, MATTHEW DE.

JUST. ITIN. 1174.

OF this person I can find no further information than that he was one of the five justices errant appointed by writ of Richard de Luci to impose the assize in the county of Hants in 20 Henry II., 1174.[2]

ESSEX, HENRY DE.

JUST. ITIN. 1156.

SWENE, the grandfather of Henry de Essex, at the time of the general survey was Lord of Raghley, in Essex, and of no less than fifty-four other lordships in that county, besides others in Suffolk and Huntingdonshire. This property descended to Robert his son, and from him to Henry.

He was in great favour with King Henry II., and held the high office of constable. His pleas as a justice itinerant are recorded in the rolls of 2, 3, 4 Henry II., 1156—1158, in the counties of Somerset, Devon, Hants, Wilts, Sussex, and Gloucester.[3] In the first of those years also[4] he acted in the same capacity in conjunction with the chancellor (Thomas

[1] Dugdale's Baronage, i. 461.; Nicolas's Synopsis of the Peerage.
[2] Madox's Exch. i. 125.
[3] Pipe Rolls, 2, 3, & 4 Henry II., 31. 78. 116. &c. [4] Ibid. 17.

Becket) in Kent and Essex; and was likewise sheriff or fermer of the counties of Bedford and Buckingham for that and the three following years; Simon Fitz-Peter acting as his deputy.

His prosperity, however, was not of long continuance. In the war which King Henry waged with the Welsh in 1157, his army, falling into an ambush at Coleshull, in Flintshire, was thrown into confusion, and the king himself placed in great danger. Henry de Essex, who bore the king's standard, instead of hastening to his assistance, was seized with a sudden panic, and exclaiming that the king was dead, threw away his banner, and fled from the field. The king with much difficulty rallied the troops; and though his army suffered severely, overlooked the dereliction of his officer, making allowance probably for the terror of the moment, and remembering his former services. The subsequent conduct and bravery of Henry de Essex in the war of Toulouse, in 1159, justified his sovereign's leniency, and tended to wipe out the stain from Essex's character. The disgrace would probably have been entirely forgotten but for a quarrel which he had six years afterwards with Robert de Montfort, who, publicly charging him with the fact, and offering to prove it in mortal combat, the king had no choice but to consent to the trial. The duel accordingly took place on the 18th of April, 1163, at a certain island in the neighbourhood of Reading, in the presence of a vast assembly; and terminated in the defeat of Essex. The Chronicle of Bracelonda says, that being believed to be dead, the king, on the petition of his relations, permitted his body to be taken to the neighbouring abbey for interment; and that there he recovered, and took the habit of the order. This account is stated to have been narrated by himself to the abbot of St. Edmunds, on his visit to the abbey of Reading about the year 1196; so that he had then been thirty-three years in the cloister,

where, Fuller quaintly observes, "between shame and sanctity he blushed out the remainder of his life."

By his defeat the whole of his large possessions were confiscated, and several records show that they remained in the king's hands for many years afterwards.

Before his disgrace he gave the church of Walde to the nuns of Clerkenwell; and his lordship of Little Fraincham to the Knights Templars. Dugdale states that he had two sons, Henry and Hugh; and that his widow, Alice, a sister of Alberic de Vere, afterwards married Roger Fitz-Richard, Lord of Warkworth in Northumberland, and of Clavering in Essex.[1]

FITZ-ALDELM, or ALDELIN, WILLIAM.

JUST. 1165.

See under the Reign of Richard I.

FITZ-ALEXANDER, NIGEL.

JUST. 1185.

See under the Reign of Richard I.

FITZ-BERNARD, ROBERT.

JUST. ITIN. 1176.

ROBERT FITZ-BERNARD and Hugh de Gundevil were appointed lieutenants under Humphrey de Bohun, in 1172, when King Henry committed the castle of Waterford to his charge; and being, with Robert Fitz-Stephen, ordered the next year to join the king in Normandy, they passed into England, where, finding the rebellion raging, they joined the royal forces, and did good service against the Earl of Leicester.

[1] Dugdale's Baronage, i. 463.; Brady's England, 302.; Lord Lyttelton's Henry II., ii. 73. 76. 224.; Cronica de Brakelonda, 50. 136., and Pref. p. viii.; Leland's Collect. iii. 410.

Among the eighteen justices itinerant appointed at the council of Northampton, held on January 23, 1176, 22 Henry II., to distribute justice throughout the kingdom, Robert Fitz-Bernard was placed at the head of the three to whom the counties of Kent, Surrey, Sussex, Hants, Berks, and Oxford were entrusted[1]; he being at that time also sheriff of the first-named county. His pleas appear upon the rolls of the four following years in several of these counties[2]; and he continued Sheriff of Kent till 29 Henry II.

He died about 9 Richard I., the roll of that year stating, in reference to a debt due from him to the king for arrears of the ferm of Dover, that the Sheriff of Kent had returned that he was dead, but that his heirs might be distrained in Devonshire; the sheriff of which county, however, on the summons being sent there, returned that Robert had nothing in demesne in Devonshire.[3] He had been sheriff of that county also for six years from 11 Henry II., 1165.[4]

FITZ-BERNARD, THOMAS.

JUST. ITIN. 1178. JUST. 1182.

THOMAS FITZ-BERNARD was one of the officers of King Henry's household; and was twice subjected, in 1166 and 1169, to the sentence of excommunication pronounced against him by Becket. The archbishop's object was manifestly the annoyance of the king; his pretence was that Fitz-Bernard had usurped the goods of the church of Canterbury; he and Hugh de St. Clair having obtained the sequestration of those which the primate had forfeited in his flight from England. The pope, however, on the king's representation that Fitz-

[1] Dugdale's Chron. Series. [2] Madox's Exch. i. 129. 134. 137, 138.
[3] Ibid. ii. 199.
[4] Fuller's Worthies, Devon, Kent; Lord Lyttelton's Henry II., iii. 93. 186.

Bernard and others were in attendance on his person, took off the ban.

In 1178, 24 Henry II., and the two following years, he acted as a justice itinerant in the counties of Essex, Hertford, Lancashire, Dorset, Somerset, and Cornwall, and in 28 Henry II., 1182, he is named as one of the justiciers and barons before whom fines were levied in the Curia Regis at Westminster. During the same period also, he performed the functions of justice of the forest, having succeeded Alan de Nevill in that office: and from the twenty-fourth to the thirtieth year of the reign, 1178 to 1184, he held the sheriffalty of Northamptonshire.

At his death, which occurred about the latter year, King Henry subjected the forests to new regulations, dividing them into four districts, with four judges over each, viz. two ecclesiastics and two knights.[1]

FITZ-ERNISE, PHILIP.

Just. Itin. 1174.

All that can be told of this Philip Fitz-Ernise is, that he and Ralph Fitz-Stephen, the sheriff, and Alexander Pincerna, were the justices itinerant appointed by the writ of Richard de Luci to make the assize for the county of Gloucester in 20 Henry II., 1174.[2] About the same time there was a Robert Fitz-Ernise in Yorkshire[3]; but the difficulty of tracing the son of a Christian name may be readily conceived.

[1] Lord Lyttelton's Henry II., ii. 434. 506. 517. iii. 404.; Madox's Exch. i. 133—137.; Pref. to Fines of Richard I. and John, p. xxi.; Dugdale's Orig. Jurid. 92.; Fuller's Worthies, Northampton.

[2] Madox's Exch. i. 123. [3] Ibid. i. 210.

FITZ-GEROLD, HENRY.

JUST. 1165.

HENRY FITZ-GEROLD was one of the king's chamberlains, and as such had a seat in the Curia Regis. He is first named in that character in 11 Henry II., 1164–5, and is one of the three "Justiciæ Regis" directing an exchange of lands at Canterbury between the king and one Atheliza.[1] In 16 & 17 Henry II., 1170–1, he appears to have been a justice itinerant into Kent, but into no other county.[2]

Although Dugdale does not name him in treating of the barony of Fitz-Gerold, yet from what he does relate, and from other records, there can be little doubt that he was either the son or brother (probably the former) of Warine Fitz-Gerold, the third lord he mentions. He calls that Warine chamberlain to King Henry II., and Madox cites several records showing he was so in the second year of that reign.[3] Dugdale does not give the date of Warine's death, but states that he was succeeded by another Warine; with no incident of the life of the latter earlier than 2 Richard I.; nor does he mention whether he was his son or grandson. Now there is no doubt from other records that the first Warine's successor in the office of chamberlain was this Henry; and we have seen that he held it in 11 Henry II. Another Warine Fitz-Gerold was afterwards chamberlain with William Malduit, the former associate with Henry in the office; and that the name of the heir of Henry was Warine Fitz-Gerold is proved by the roll of 1 John, where he is so called, Henry having previously appeared on the roll during the reign of Richard I.[4] The conclusion to be drawn is, that Henry was the son of the first Warine, and father of the second Warine mentioned by Dugdale.

[1] Madox's Exch. i. 204.
[2] Ibid. i. 145.
[3] Ibid. i. 263.
[4] Ibid. ii. 390.

That author refers to only two members of the family before these; viz. Robert Fitz-Gerold, who possessed twenty-five lordships in the Conqueror's time, and his successor, Alexander Fitz-Gerold, to whom succeeded the first above-mentioned Warine. The second Warine, son of Henry, died without male issue.[1]

FITZ-HELTON, WILLIAM.

? Just. Itin. 1170.

William Fitz-Helton, or Fitz-Helt, is another of the twelve persons named by Dugdale as justices itinerant in 16 Henry II., 1170, but who have been shown to be commissioners of inquiry into the conduct of the sheriffs, &c. A family of that name is mentioned by Madox as paying seventy shillings for scutage in Kent; and by an entry on the great roll of 1 Richard I., it appears that William Fitz-Helte and William de Enema attested the account of the sheriff of that county for money laid out in the works of Dover Castle.[2]

FITZ-HERVEY, OSBERT.

Just. 1182.

See under the Reigns of Richard I. and John.

FITZ-JOHN, WILLIAM.

Just. Itin. 1163.

By the roll of 9 Henry II., 1163, it is recorded that William Fitz-John held pleas in the county of Hereford; and by that of 14 Henry II., 1168, that he amerced Samuel, the priest of Pilton, in Somersetshire.[3] There is no other

[1] Dugdale's Baronage, i. 411.
[2] Madox's Exch. i. 630.; Pipe Roll, 1 Richard I. 232.
[3] Madox's Exch. i. 527., ii. 213.

mention of his judicial career; but it is evident he held some office about the court, inasmuch as when Richard de Humet, the chief justiciary of Normandy, was sent to England by King Henry in 1170 to arrest Becket, with a view to save him from the mischief which he anticipated from the sudden absence of four of his knights, William Fitz-John and Hugh de Gundeville were despatched by Humet to Canterbury for the purpose; but before their arrival the archbishop's fate was accomplished.[1]

It is uncertain to what family he belonged. In this reign there was one of the name who held a knight's fee of the Bishop of Chichester; and another, or perhaps the same, who held seven knights' fees of the king in capite of the honor of Moreton[2]; but nothing remains by which he can be identified with either.

FITZ-MARTIN, WILLIAM.

JUST. 1170.

THAT William Fitz-Martin was a justicier or baron acting in the Exchequer, appears from a writ in his name and that of John Malduit, putting the debts of the honor of Lancaster in charge in 16 Henry II., 1170. He is also one of the twelve commissioners, whom Dugdale calls justices itinerant, who in the same year were sent to inquire into the conduct of the sheriffs in the several counties of the kingdom. I have not been able to trace any further mention of him, except that so early as 4 Henry II. he was excused from the donum on his land in Hampshire, showing that he was at that time employed in the Exchequer.[3]

[1] Lord Lyttelton's Henry II., iii. 2. [2] Madox's Exch. i. 576. 649.
[3] Madox's Exch. ii. 253.; Dugdale's Chron. Series; Pipe Roll, 2, 3, 4 Henry II., 172.

FITZ-NIGEL, or FITZ-NEALE, RICHARD, Archdeacon of Ely, Dean of Lincoln; afterwards Bishop of London.

Just. 1165.

See under the Reign of Richard I.

FITZ-NIGEL, or FITZ-NEALE, WILLIAM.

? Just. Itin. 1170.

Among the names of the commissioners appointed in 1170 to examine into abuses of the sheriffs, &c., whom Dugdale erroneously calls justices itinerant, is that of Willielmus filius Nigelli. He was Sheriff of Kent in 1184, 30 Henry II.; and in the certificate returned by the Bishop of Chichester for the aid on marrying the king's daughter in 12 Henry II., 1166, where he enumerates the feffaments of the knights who held under that church, he mentions William Fitz-Neale as holding one knight's fee.

It is not improbable that he was a son of Nigel, Bishop of Ely. That Richard Fitz-Nigel, the treasurer, and afterwards Bishop of London, who was undoubtedly the son of Bishop Nigel, had a brother, and that his name was William, appears from an ancient MS. book in the possession of the dean and chapter of London, which contains an entry of an acknowledgment of non-claim to certain lands made in the Exchequer in 30 Henry II., 1184, where, among the barons present, occur "Ricardus, Decanus Lincolniensis Regis Thesaurarius, Willelmus Anglicus, frater Thesaurarii."[1]

FITZ-PETER, SIMON.

Just. 1165.

The name of Simon Fitz-Peter appears as one of the "assidentes Justiciæ Regis" before whom a charter or contract

[1] Madox's Exch. i. 215. 576.; Fuller's Worthies, Kent.

was executed at the Exchequer in 11 Henry II., 1165[1]; but on no other occasion does it occur in connection with the judicial business of the superior court. It immediately follows the name of William Malduit, the chamberlain, and is the first of four, after whom are the words "Marescallis Regis." Whether, as Madox seems to infer, these words apply to all the four, may perhaps admit of question. If, however, he were not one of the marshals, it is clear he held some office in the court, since his property in Norfolk and Northamptonshire was exempted on that account from the Danegeld and other assessments, so early as 2 Henry II.[2] From that year to the sixteenth he was sheriff of the latter county; and as Geoffrey Fitz-Peter, the great justiciary in the next reign (whose father is not mentioned in Dugdale's Baronage), was intrusted with the same sheriffalty for many succeeding years[3], it does not seem an improbable conjecture that this Simon was his father.

Simon Fitz-Peter acted also for four years, commencing 2 Henry II., as deputy to Henry de Essex, the sheriff of the counties of Buckingham and Bedford.[4] It was probably at a later period that he was a justice itinerant in the latter county, when his name is mentioned in connection with the case of a certain canon of Bedford, named Philip de Brois, who having been convicted of manslaughter before his bishop, was merely condemned to make pecuniary compensation to the relatives of the deceased. In the open court at Dunstable, the judge, alluding to the case, called him a murderer; whereupon a violent altercation ensued, and the priest's irritation drawing from him expressions of insult and contempt, the king ordered him to be indicted for this new offence.[5]

[1] Madox's Exch. i. 44.
[2] Pipe Roll, 2 Henry II., 7.
[3] Fuller's Worthies, Northamptonshire.
[4] Fuller's Worthies, Bedfordshire.
[5] Lingard's England, ii. 213.; Leland's Collect. iii. 424, from Fitz-Stephen's Life of Becket.

This was one of the grounds of King Henry's attack on clerical privileges.

FITZ-RALPH, GEROLD.

? Just. Itin. 1170.

This name appears among the twelve inquisitores in 1170, 16 Henry II., whom Dugdale has mistakingly called justices itinerant. Who he was I have not been able to discover.

FITZ-RALPH, WILLIAM.

Just. Itin. 1174. Just. 1175.

William Fitz-Ralph, or rather Fitz-Ranulph, succeeded to the lordships of Alfreton, Norton, and Marnham, in Derbyshire, on the death of his father, Robert Fitz-Ranulph, who is supposed by some to have assisted in the assassination of Archbishop Becket in the year 1170, 16 Henry II., and to have founded the priory of Beauchief, in that county, in expiation of his crime. The fact that he retired about that time from the sheriffalty of the counties of Nottingham and Derby, which he had held for the four preceding years, in some degree gives weight to this opinion. His son, this William, was then placed in that office, and held it for the eight following years.[1]

Whether the father was guilty or not, the son was certainly not excluded from the court; but continued to be employed in places of trust up to the reign of King John. So early as 18 Henry II., 1172, he and Robert Mantel (a justicier of this reign) accounted as receivers of the pasnage of the king's forests throughout England; an office of considerable importance, as may be inferred from its having after-

[1] Fuller's Worthies, Derbyshire.

wards been filled by Geoffrey Fitz-Peter. In 20 Henry II., 1174, he was, as sheriff of Nottingham and Derby, joined with Godfrey de Luci, one of the king's justices, in setting the assize of those counties: and in the six next years he sat in the king's court, in which he seems to have held a high place, as his name appears first of several before whom pleas and conventions were taken; and in some instances he is mentioned thus: "per Willielmum filium Radulfi et Socios suos," without noting who those companions were. During those years, also, he went as one of the justices itinerant into fourteen several counties.[1]

In 1180, 26 Henry II., he was appointed dapifer or seneschall of Normandy, in right of which he had the custody of the castle of Caen, for which a livery of 300*l.* per annum was allowed him.[2] This office, which comprehended that of justiciary, he continued to hold from that time till his death in 1200. When Richard I. went to the Holy Land, he committed Alice, the King of France's sister, to the custody of William Fitz-Ralph, who resolutely refused to deliver her up to her brother, notwithstanding his repeated demands. In the character of seneschall he is a witness to the charter granted by King Richard to the church of Rouen, in the 8th year of his reign, 1196; and in 2 John he is so mentioned on the Norman roll as being present in the king's court at Caen with the other justices and barons there.[3]

He gave the church of Blackwell to the canons of Thurgarton, in Nottinghamshire.

According to Dugdale's Baronage[4], he had, by his wife Agnes, one son, Thomas, who succeeded him, and died without issue; and three daughters, who thus became his heirs;

[1] Madox's Exch. i. 94. 103. 123—138. [3] Ibid. i. 166.

[2] Madox's Exch. i. 53. 156. 166. 169.; Rot. Scacc. Norm. i. 56. 107. 270.; Observations, pp ci. cxiii. cxxxviii., Vol. II. pp. xxxv. ccxix.

[4] Dugdale's Baronage, i. 678.

viz. Alice, married to Sir William de Chaworth; Joane, married to Robert, the son of Richard de Lathom; and Lettice, who died unmarried. But, according to a genealogy in the account of the priory of Beauchief in Dugdale's Monasticon [1], William left a son named *Robert*, who was the father of Thomas by his wife Agnes. It is curious that Godwin [2] represents *Robert*, Bishop of Worcester, who was elected in 1190, and died in 1193, as the only son of William Fitz-Ralph, seneschall of Normandy. If this were so, it would prove either that the justicier and the seneschall were two different persons, or that Robert the son had married, and had a son Thomas before he was professed a priest. Neither of these is impossible. If the first be the case, it affords another instance of the difficulty of tracing families distinguished only by the compound Christian names; and if the latter, it relieves the two accounts of Dugdale from some part of their contradiction.

In the foregoing notice, it has been assumed that the justicier whom Madox always calls Fitz-Ralph (*filius Radulphi*) is the same with William Fitz Ranulph, the baron of Alfreton, mentioned by Dugdale.

Madox gives no information as to the family to which he belonged; and in the only two families of Fitz-Ralph noticed by Dugdale, no person of the name of William appears. He, however, mentions another barony which he calls Fitz-Ranulph, beginning in the time of Henry II. with Robert Fitz-Ranulph, before mentioned; who, as he states, was succeeded by his son William. Dugdale, however, in his notice of this son, makes no allusion to his appointments of justice itinerant, sheriff, or seneschall of Normandy; so that, beyond the Christian name and the similarity of the surname, there is nothing in Dugdale's account to identify

[1] Dugdale's Monast. (1846), vi. 882.

[2] Godwin de Præsul. 458.

the two individuals. A little further investigation, however, seems to prove that they are identical.

Robert Fitz-Ranulph was sheriff of the counties of Nottingham and Derby, according to Dugdale, from the 12th to the middle of the 16th Henry II., 1178. William, according to Madox, was sheriff there in the 21 and 22 Henry II., without naming what other years he held the office. Fuller, however, from the records, gives a complete list of sheriffs, and corroborates Dugdale as to Robert, making William his immediate successor in 16 Henry II., and for eight years afterwards; but he calls each of them "*filius Radulphi.*"

This, therefore, identifies Dugdale's Robert Fitz-Ranulph with Fuller's Robert Fitz-Ralph. That the identity of William follows, is made more clear by the practice of the times, which frequently continued the sheriffalty in one family for several generations; and which would make it a natural presumption that the son William would succeed the father Robert in the office. If Robert, also, were indeed concerned in the murder of Becket (an act which, though not authorized by the king, cannot be supposed to have been disagreeable to him), the reason of Robert's retirement in the 16th year (when the murder occurred) would be at once explained; since this would be a sacrifice which respect for the feelings of the times required, but which would not extend to the exclusion of the son, who was not implicated in the crime.

It is well known that, when a man was called "Filius Radulphi," or "Filius Bernardi," &c., it did not necessarily follow that his *father's* name was Radulphus or Bernardus, &c.; either because the designation might have been adopted as a family name, by the heir of some previous member of it, who had made himself famous, or who had greatly increased his possessions, or from the inconvenience which was found

to result from the perpetual change in the name. Of these we have examples in the names of Fitz-Alan, Fitz-Herbert, Fitz-William, &c. But it may be with certainty inferred that one or other of his ancestors bore the Christian name from which the designation comes. Thus, in this family of Fitz-Ranulph or Fitz-Ralph, none of those mentioned by Dugdale bore that Christian name; Robert's son William was not styled Fitz-Robert, nor was William's son named Fitz-William; but all were called Fitz-Ralph or Fitz-Ranulph. There must, however, have been a progenitor so baptized; and in Fuller's list of the sheriffs of those counties it will accordingly be seen that the immediate predecessor of Robert was *Radulfus* filius Engelrami, who held the office from the second to the twelfth year of Henry II. From him, then, who was no doubt the father of Robert, we have the family surname. And, further, the name Radulphus in this *Radulphus filius Engelrami*, and in this *Robertus filius Radulphus*, is called by Madox Randulphus, quoting respectively the rolls of 9 and 19 Henry II.[1] Thus it appears that Ranulphus and Radulphus are both abbreviations of, or derived from, Randulphus, and that they, in fact, are all three one and the same name. The name of the great justiciary, Glanville, familiarly called sometimes Ralph, and sometimes Ranulph, though usually styled in the rolls as Randulphus, is a sufficient example of the indiscriminate use of the three names, and makes it more difficult to account for Dugdale's drawing a distinction between them in this instance. But it seems impossible to come to any other conclusion than that William Fitz-Ralph the justicier, named by both Dugdale and Madox, is the baron mentioned by the former under the designation of William Fitz-Ranulph.

[1] Madox's Exch. i. 297. 336.

FITZ-REINFRID, ROGER.

JUST. ITIN. 1176. JUST. 1179.

See under the Reign of Richard I.

FITZ-RICHARD, WILLIAM.

JUST. ITIN. 1174.

See under the Reign of John.

FITZ-ROBERT, WALTER.

JUST. ITIN. 1176. JUST. 1177.

See under the Reign of Richard I.

FITZ-SIMON, TURSTIN.

JUST. ITIN. 1173. JUST. 1176.

TURSTIN FITZ-SIMON probably held some office in the Exchequer so early as 4 Henry II., as he was excused in that year from the donum assessed on his property in the counties of Oxford and Hereford.[1] After the murder of Becket, he was one of the custodes of the archbishoprick of Canterbury, John Malduit being the other; and they accounted for its scutage in 18 & 19 Henry II.[2]

In the latter year, 1173, he was a justice itinerant for setting the assize or tallage in Gloucestershire; and having been selected in 1176, 22 Henry II., as one of the eighteen justices appointed to administer justice throughout the kingdom, his pleas are recorded, in that and the two following years, on the rolls not only of the four counties at first appropriated to him and his two coadjutors, but also to six others. In 1177, he is mentioned as holding pleas in the Exchequer.[3]

He lived beyond the end of the reign, as he appears

[1] Pipe Rolls, 2, 3, 4 Henry II., 144. 150.

[2] Madox's Exch. i. 309. 631. [3] Ibid. i. 127. 211. 701. 732. &c.

to have had the custody of the Castle of Ludlow in 1 Richard I.[1]

FITZ-STEPHEN, RALPH.

JUST. ITIN. 1174. JUST. 1184.

See under the Reign of Richard I.

FITZ-STEPHEN, WILLIAM.

JUST. ITIN. 1176. JUST. 1177.

See under the Reign of Richard I.

FITZ-TOROLD, NICHOLAS.

JUST. ITIN. 1179.

NICHOLAS FITZ-TOROLD was one of those selected by the council held at Windsor in 25 Henry II., 1179, as a justice itinerant in one of the four divisions then established for the purpose of administering justice throughout the kingdom.[2] It does not appear that he had been previously so employed, nor does his name afterwards occur as a justice itinerant, except in the roll of the following year. It is probable, however, that he acted subsequently, because, among the pleas of Godfrey de Luci and his companions in Berkshire, entered on the roll of 1 Richard I., there is an entry which seems to have reference to his misconduct in office; viz. "Nicholas filius Turoldi redd. Comp. de 45*l.* 13*s.* 4*d.* pro falsa p'sent. plac. Corone et pro falso clam. de averiis detentis."[3]

FURNELLIS, or FURNAUS, ALAN DE.

JUST. 1179.

ALAN DE FURNELLIS, or Furnaus, does not appear to have acted as a justicier previous to 1179, 25 Henry II., when

[1] Pipe Roll, 1 Richard I.

[2] Dugdale's Chron. Series; Madox's Exch. i. 79. 139.

[3] Pipe Roll, 1 Richard I., 181.

the kingdom was divided by the council held at Windsor into four parts, and certain wise men were selected to administer justice in each. He was one of the six who were specially appointed to hear the complaints of the people in the Curia Regis itself; and the northern counties were also appropriated to them for their circuit. It is probable, however, that the different lists then formed were not confined in future years to the districts to which they were first named; as Alan de Furnellis and two of his companions are found in the very next year performing their judicial duties in Gloucestershire.

The roll of 1 Richard I., 1189, records some of the charges arising from his pleas in the counties of Lincoln, Warwick, and Leicester: but they are evidently arrears of former years, inasmuch as the same roll contains the entry of his death, and of his son Geoffrey accounting for money received by him in Oxfordshire. Of this latter county Alan had been sheriff from 31 to 33 Henry II.; as he had been of Cornwall also from the twenty-seventh to the thirtieth year of that reign. The family, however, appear to have been more specially connected with Devonshire, as a Geoffrey de Furnellis was sheriff of that county at the end of the reign of Henry I. and the beginning of that of Henry II.; Alan himself was joined in that sheriffalty in 21 Henry II.; and Henry de Furnellis held it during the last nine years of the reign of Richard I.[1]

GAERST, HUGH DE.

JUST. 1179.

OF Hugh de Gaerst I can find no other mention than that he was a justicier appointed by the great council held at

[1] Dugdale's Chron. Series; Madox's Exch. i. 94. 139. 276. 328., ii. 220.; Fuller's Worthies; Pipe Roll, 1 Richard I., 58. 105, 106, 107. 118. 131.

Windsor in 1179, 25 Henry II., when England was arranged into four judicial divisions. He must have been held in some considerable estimation, as he was one of the six to whom not only the northern counties were appropriated, but who were also assigned to hear the complaints of the people in the Curia Regis.[1]

GEDDING, RANULPH DE.

Just. 1182.

Among the justiciers and barons before whom fines were acknowledged in the Curia Regis in 28 Henry II., 1182, and the two following years, Ranulph de Gedding is mentioned[2]; but as his name is not among the justices itinerant of that reign, and does not occur in any other judicial matter, it may be a question whether his attendance on these occasions did not arise merely from his holding an office connected with the Exchequer. Some likelihood that this was the case results from the fact, that he and Henry de Cornhill in the last of those years were paid out of the issues of the honor of the constabulary, divers sums expended by them for cordage, instruments, and other necessaries for the ship of Henry de Schornis, when it sailed to Spain for the infanta of Portugal.[3]

The Great Roll of 31 Henry II., 1185 (Norfolk and Suffolk), contains a curious instance of the pretences made in those times for bringing money into the king's Exchequer. William de Beaumont, it seems, had contracted to marry the daughter of Ranulph de Gedding, but altering his mind, had taken to wife the daughter of Maurice de Barsham: where-

[1] Dugdale's Chron. Series; Madox's Exch. i. 93. 138.

[2] Hunter's Pref. to Fines of Richard I. and John, p. xxi.; Madox's Exch. i. 82. 113. 213.

[3] Madox's Baron. Angl. 75.

upon the faithless William was fined fifty marks, while his manœuvering father-in-law, not having the excuse of love, was fined in double that amount for permitting the breach of contract.[1]

GERNEMUE, ADAM DE.

JUST. ITIN. 1173.

ADAM DE GERNEMUE (Yarmouth) was one of the justices itinerant who, in 19 Henry II., 1173, fixed the tallage or assize for the counties of Essex and Hertford, and in the next year for those of Norfolk and Suffolk.[2] He probably held some office in the king's court or household; for we find him one of the four commissioners, whom the king in 1174 sent over to Ireland to settle the affairs of that country, and to bring Raymond over to England.[3]

Camden relates a story of Adam de Gernemue, who, being clerk of the signet, was summoned before Henry I. by Thurstan le Despencer, or steward, for refusing to sign a bill he had without a fee, as was the custom among the officers of the court. Upon Adam's answering that he merely desired him to bestow two spice cakes made for the king's own mouth, the king compelled Thurston to put off his cloak and to go and bring the two cakes on a white napkin, and with a low curtesey to present them to Adam. He then made them friends, observing, that "officers of the court must gratifie and shew cast of their office, not only one to another, but also to strangers, whenever need shall require."[4]

[1] Madox's Exch. i. 513.
[2] Ibid. i. 124. 701.
[3] Brady's England, 363.
[4] Camden's Remains, 247.

GIFFARD, RICHARD.

Just. Itin. 1176.

Richard Giffard was one of the eighteen justices itinerant who were appointed to administer justice throughout the kingdom by the council of Northampton, 22 Henry II., 1176.[1] During the next three years his name appears on the rolls as holding pleas in some of the counties to which he was appointed[2]; but the entries, perhaps, refer only to the arrears of his first circuit. In 1180 we find him bailiff of the Oximin, in Normandy, and receiving 200*l.* per annum as custos of the castle of Falaise. To the hospital of the latter town he was a benefactor.[3]

GLANVILLE, OSBERT DE.

Just. 1182.

The only mention I find of Osbert de Glanville as a justicier is that he was present when fines were levied in the Curia Regis in the 28th and 35th years of King Henry's reign, 1182, 1189.[4] As the former of these years was soon after the appointment of Ranulph de Glanville to the office of chief justiciary, and the latter just before his retirement from it, it is probable that Osbert was in some way related to him, and had been brought into the court under his auspices. This is rendered still more likely by the fact, that he was one of the witnesses to the justiciary's charter to the priory of Butley.[5]

[1] Dugdale's Chron. Series. [2] Madox's Exch. i. 126—135.
[3] Rot. Scacc. Norm. i. 41.; Observations, pp. xii. xciv. xcvi.
[4] Hunter's Pref. to Fines of Richard I. and John, pp. xxi. xxiii.
[5] Dugdale's Monast. (1846), vi. 380.

GLANVILLE, RANULPH DE.

JUST. ITIN. 1175. JUST. 1179. JUST. ANGL. 1180.

See under the Reign of Richard I.

GLOUCESTER, ARCHDEACON OF. *See* R. DE INGLESHAM.

GRIMBALD, ROBERT.

? JUST. . .

DUGDALE, in his Chronica Series, inserts the name of Robert Grimbald as a justicier in this reign; and both in his Origines and in the Monasticon Anglicanum[1], gives an impression of his seal, calling it in the margin the seal of Robert Grimbald, one of the justiciers of King Henry II. It represents a figure in the robes of a judge, with the sword of Justice in one hand, and that of Mercy in the other; and the inscription is simply "Sigillum Roberti Grimbald." In the multiplicity of names of justiciers in the rolls of this reign, quoted by Madox and others, that of Robert Grimbald never occurs, although it does forty years afterwards in that of Henry III. As there seems at least as much probability that this signet should be an abstract representation of Justice, as that it should be intended as a portraiture of himself, the question naturally arises whether it affords sufficient ground, without other evidence, for inserting his name in the list. The document to which the seal is attached is a charter granting certain lands in Dunnington to the priory of Osulveston in Leicestershire; and there are four others of the same description. "R. Bishop of Lincoln," in his charter of confirmation, calls him simply "venerabilis vir," and in none of the others is there any addition to his name at all designating a judicial character. It appears, however, that he was united with Paganus from the 2 to the 8 Henry II.,

[1] Dugdale's Origines, 100.; Monast. (1846), vi. 425.

1156–1162, in the sheriffalty of Cambridge and Huntingdon[1]; and, recollecting the judicial duties which appertained to that office, such a seal as the above would be in no degree inappropriate. This Bishop of Lincoln was Robert de Querceto, who was consecrated in 1147, and died in 1166.

Robert Grimbald's residence appears to have been in Northamptonshire, since in that county he is charged with the ferm of Huntingdon from 2 to 4 Henry II. He married Matilda, daughter and heir of Paganus de Hocton, who was probably the sheriff with whom he was associated; and it would appear that she afterwards married Richard del Pec. Two of the witnesses of the above-mentioned charter are his brothers Hugh and William.

GUNDEVILLE, HUGH DE.

Just. Itin. 1174.

The rolls afford ample evidence that at the beginning of this reign Hugh de Gundeville filled some responsible office in the Exchequer, or in the king's household; payments being made by him and by his order in the 2d, 3rd, and 4th years, and his Danegeld and other impositions in the counties in which he possessed property, being remitted during the same period.[2] The rolls of the subsequent years are not published; but they probably contain similar entries, because there is no doubt that he continued in the same employment. In 1170, 16 Henry II., he was despatched with William Fitz-John to arrest Becket, whose fate, however, was sealed before their arrival at Canterbury: and in 1172 he and Robert Fitz-Bernard were appointed lieutenants under Humphrey de Bohun in the government of the city of Waterford. In the latter year, also, he was one of the witnesses to King

[1] Fuller's Worthies, Cambridge.

[2] Pipe Rolls, 2, 3, 4 Henry II., 30—182.

Henry's charter, dated at Dublin, by which he granted that city to the men of Bristol.[1] He held the sheriffalty of Hampshire from 16 Henry II. for ten years; that of Northamptonshire from 21 Henry II. for three years; and that of Devonshire in the 24th and 25th years of that reign.[2]

In 20 Henry II., 1174, he was appointed, by writ of Richard de Luci, the chief justiciary, one of the five justices itinerant to fix the tallage of Hampshire, no doubt as sheriff of that county; but soon afterwards he was called upon to exercise the more regular functions of that judicial office, being selected in 1176 by the council of Northampton as one of the eighteen justices itinerant who were sent round England; a certain number of counties being appropriated to each three. His pleas while engaged in this employment are noticed in the rolls of the four following years.[3] The entries, however, in the last of these years, 26 Henry II., 1180, probably refer to his pleas of the preceding year; the new judicial arrangement of the kingdom into four divisions having then taken place. He died about the end of this reign, the roll of 1 Richard I. referring to property which had been his.[4]

HADFIELD, WALTER DE.

JUST. ITIN. 1174.

THE justices itinerant who set the assize on the king's demesnes in Essex and Hertfordshire in 20 Henry II., 1174, were Robert Mantel, the sheriff, and John de Hadfield.[5] The manor of Writell in Essex was granted to him and John Fitz-William in 4 Richard I., 1192–3[6]; between which date and 3 John, 1201–2, he died, the chancellor's roll of the

[1] Lord Lyttelton's Henry II., iii. 2. 93., iv. [1.]
[2] Fuller's Worthies.
[3] Madox's Exch. i. 125—138.
[4] Pipe Roll, 1 Richard I., 213.
[5] Madox's Exch. i. 124.
[6] Ibid. ii. 167.

latter year speaking in reference to the same manor of Walter his son.[1]

HEREFORD, ARCHDEACON OF. *See* RALPH.

HOSE, GEOFFREY.

JUST. ITIN. 1179.

GEOFFREY HOSE, or Hoese, was the son of Henry, and held a barony in the county of Wilts. He was sheriff of Oxfordshire in 26 Henry II. and two following years.[2] In 25 Henry II., 1179, he was one of the persons selected by the council of Windsor to act as justices itinerant in certain counties forming one of the four divisions into which England was then arranged: and his pleas appear on the roll of the following year, but not subsequently.[3]

The extent of his lands may be estimated by the amount of the fine of 33*l.* 6*s.* 8*d.* paid to King Richard that he might enjoy them in peace during his life, and dispose of them afterwards as he should think fit.[4] He gave the church of Little Fageham to the canons of St. Dionysius in Southampton, and some lands to the monks of Stanley in Wiltshire.[5]

He died in 1 John, 1199, when his wife, Gundred de Warenne, gave two hundred marks for the custody of Geoffrey, his heir, and all his lands until he was of age: but by a writ from the chief justiciary, the fine is directed to be demanded from Robert de Tresgoz, because he had the custody of the heir and land; and in 3 John the said Robert accordingly accounts for the scutage thereon both in Herefordshire and Wiltshire.[6]

[1] Rot. Cancellarii, 3 John.
[2] Fuller's Worthies, Oxford.
[3] Dugdale's Chron. Series; Madox's Exch. i. 138.
[4] Pipe Roll, 1 Richard I., 176.
[5] Dugdale's Baronage, i. 622.
[6] Madox's Exch. i. 202.; Rot. Cancell. 3 John, 111. 226. 229.

HOSPITALI, RALPH DE.

? JUST. ITIN. 1170.

RALPH DE HOSPITALI was another of the "inquisitores" against the sheriffs in 1170, 16 Henry II. In the great roll of 31 Henry II., he and Hugh Cophin render an account of the proceeds of the abbey of Tavistock, then in the king's hands.[1] He held a prebend in Exeter Cathedral, and the chapel of Walingford, both of which he resigned in 9 John, 1207.[2]

HUNTINGDON, ARCHDEACON OF. *See* N. DE SIGILLO.

HUSSEBURN, THOMAS DE.

JUST. 1187.

See under the Reigns of Richard I. and John.

INGLESHAM, ROBERT DE, ARCHDEACON OF GLOUCESTER.

JUST. 1187.

See under the Reign of Richard I.

JOHN.

? CHANCELLOR. . .

IT is provoking, in works that profess to give correct lists of the chancellors, to find a name introduced among them with no reference to justify the insertion: and on tracing it to its source to discover that it is founded on the most vague and unsatisfactory assertions. Error is thus perpetuated, which a little investigation would remove; and authority is thus given to a name, which ought at least to be marked with some expression of doubt in order to stimulate future inquirers.

The place held by John in Hardy's and Lord Campbell's

[1] Madox's Exch. i. 311. [2] Rot. Pat. 9 John, i. 75. 81.

lists of Chancellors will illustrate these remarks. They insert him on the authority of Philipot and Spelman, who, however, differ in the position they assign to him, the former placing him *before*, and the latter *after* Becket. Spelman's list is avowedly formed from Thynne, of whom Philipot's book is a mere servile copy; leaving out any passage where it suits him. On referring to Thynne, this is all that is said of John.

"John, Chancellor of England in the time of King Henrie the Second, but what he was or in what year of King Henrie he lived I doo not know, and therefore leaue it to him that both can and ought to giue life to these persons whom he imprisoneth in the east castell of London; not doubting but in time he will doo his countrie good, and correct other men; though now he be so streict-laced, as that he will not procure anie furtherance of other men's trauels." And yet, on such a loose account as this, the name is still continued as unquestionable. Dugdale does not notice him, nor do I find any history which does; neither have I discovered any record in which his name occurs.

JOSCELINE, Archdeacon of Chichester.

Just. 1187.

See under the Reign of Richard I.

JUKEL, JOHN.

Just. Itin. 1174.

This name appears as the last in the list of justices itinerant in 20 Henry II., 1174, appointed to make the assize of the county of Hants, by virtue of the writ of Richard de Lucy[1]; but I cannot discover who he was.

[1] Madox's Exch. i. 123.

LAMVALLEI, WILLIAM DE.

JUST. ITIN. 1175.

ALTHOUGH the great roll of 21 Henry II., 1175, and those of the five following years [1], all refer to the pleas of William de Lamvallei, or Lanvellei, for the name is spelled both ways, little doubt can be entertained, on a consideration of the entries, that he did not act as a justice itinerant beyond the first of those years, and that the entries in the roll of the five subsequent years have reference only to the arrears due on the pleas of the first year. In that year his pleas are as usual called "Nova Placita et Novæ Conventiones." In the next year, 22 Henry II., 1176, which was that in which the kingdom was divided into six judicial portions, the words "Nova Placita, &c." are applied to the pleas of those three justiciers, to whom the counties in which he had previously acted had been then appointed; while William de Lamvallei's pleas precede them, and are then called simply "Placita," having clearly reference to a preceding year. And so on through the whole five years, the arrears gradually diminishing and the distance from the "Nova Placita," or pleas of the current year, gradually increasing; the interval being filled with the pleas of each successive series of justices who had acted in the interim. Again, in none of the last five years does his name appear in any other county than the fifteen to which he was first appointed; and, lastly, he is always mentioned in connection with Thomas Basset, his first and only coadjutor. Until by a close observation these facts had been ascertained, it seemed surprising that the name of one acting through so many years as a justice itinerant should not appear in any of the proceedings of the Court at Westminster. But the result of the investigation solves the difficulty.

[1] Madox's Exch. i. 125—139.

William de Lamvallei was a baron holding lands in Essex; and his attendance on the court is shown by his being one of the witnesses to the king's charter, in the tenth year of his reign. The rolls of 2 Henry II., and two following years, show that he was excused from the Danegeld and other assessments on the land he possessed. He was selected, as others were, previous to the appointment of regular judges, to take his turn in these itinera, and associated with one, viz. Thomas Basset, experienced in the laws.

Nothing further is related of him during the rest of Henry's reign: but in that of Richard he lost the royal favour and his lands; recovering both, however, by a timely fine of one hundred marks. Under John, although he never acted as a justicier, he is so described in the letters sent by Baldwin de Betun as security for the fine on the charter of liberties granted to the burgesses of Heddun.[1] In the same year he was, for a fine of two hundred marks, entrusted with the custody of Colchester Castle and of the forest up to Chelmsford Bridge, as he formerly held them in Richard's reign. But he again forfeited the royal favour, for in 3 John he paid seventy marks for the king's "benevolentiam;" and in 6 John, Geoffrey Fitz-Peter had the custody of his lands in Essex.[2]

Dying in 12 John, he left by his wife, Hawyse, a son William, who had no other children than a daughter, married to John, son and heir of Hubert de Burgh, Earl of Kent.[3]

He had a sister, Gunnora, who married William de Bellocampo, to whom he gave as a marriage portion the town of Bromeley, with the advowson of the church there.[4]

LEICESTER, Earl of. *See* Robert de Beaumont.

[1] Rot. de Oblatis, 2 John, 89.; Rot. Chart. 99.
[2] Rot. de Finibus, 6 John, 279.
[3] Dugdale's Baronage, i. 633.; Nicolas's Synopsis of the Peerage.
[4] Rot. Chart. 9 John, 167.

LEONARD, A KNIGHT OF THOMAS BASSET.

JUST. ITIN. 1174.

HERE is a remarkable instance to prove that those, who were appointed justices itinerant to impose the tallages on the different counties were not always selected from the members or officers of the Curia Regis. The two who acted for Berkshire in 20 Henry II., 1174, were the sheriff of the county, Hugh de Bocland, and this Leonard, who is simply described as "a knight of Thomas Basset."[1] He thus probably was a resident in the county, and was well acquainted with the various properties.

LINCOLN, ALURED DE.

JUST. ITIN. 1174.

ALURED DE LINCOLN is another instance of a sheriff being appointed a justice itinerant to fix the assize on the demesnes of the crown in the county under his jurisdiction. He is one of those who were so employed in 20 Henry II., 1174, for Dorsetshire and Somersetshire[2], of which he held the sheriffalty for six years, commencing 16 Henry II.[3].

His grandfather of the same name, at the general survey, possessed Wimentone in Bedfordshire, and fifty-one lordships in Lincolnshire. His father was Robert, who held the castle of Warcham, for the empress Maud, against Stephen.

Alured died 10 Richard I., 1199, leaving by his wife, Albreda, a son, also named Alured, who was a justice itinerant under Henry III.[4]

LINCOLN, BISHOPS OF. *See* GEOFFREY PLANTAGENET, WALTER DE CONSTANTIIS.

[1] Madox's Exch. i. 124.
[2] Ibid. i. 123.
[3] Fuller's Worthies, Dorset.
[4] Dugdale's Baronage, i. 412.

LINCOLN, DEAN OF. *See* RICHARD FITZ-NIGEL.

LINCOLN, PRECENTOR OF. *See* WALTER MAP.

LONDON, BISHOP OF. *See* RICHARD FITZ-NIGEL.

LUCI, GODFREY DE, ARCHDEACON OF DERBY; afterwards BISHOP OF WINCHESTER.

JUST. 1179.

See under the Reign of Richard I.

LUCI, REGINALD DE.

JUST. ITIN. 1173.

DUGDALE has been unable to discover the parentage of Reginald de Luci. The honour of Egremont, with land in the mountainous territory of Copland, in Cumberland, was brought to him by his wife Annabel, the second of the three daughters and heirs of William Fitz-Duncan, Earl of Murray in Scotland.

In 19 Henry II., 1173, he was one of the justices itinerant to set the assize for the united counties of Nottingham and Derby: and he is mentioned in the same character in the two following years.[1] He was no doubt appointed to perform these duties because he, at that time, was governor of Nottingham for the king, in the rebellion of the Earl of Leicester and others on behalf of Henry, the king's son.

He attended with the rest of the barons at the coronation of King Richard I., and died soon after.

His son Richard succeeded him, and died, leaving two daughters, one of whom married Alan de Multon, whose son assumed the name of Luci, and his descendants were summoned to parliament. The barony passed, through females, into the family of Percy, Earls of Northumberland, and ultimately became extinct in 1670.[2]

[1] Madox's Exch. i. 129. 125. 701.

[2] Dugdale's Baronage, i. 566. 612.; Nicolas's Synopsis of the Peerage.

LUCI, RICHARD DE.

JUST. ANGL. 1154.

See under the Reign of Stephen.

THE ancestors of this eminent man held lands in Kent, Norfolk, and Suffolk, for which they performed the service of castle-guard at Dover. The first fact that history records of Richard de Luci is that King Henry I. granted to him the lordship of Disce, now Diss, in Norfolk; and it is said in the Testa de Nevil that it was not known whether he received it as his inheritance or for his services. Bloomfield, however, has no doubt it was for the latter, because that manor had been always demesne of the crown.

Under King Stephen, he was entrusted with the government of Falaise in Normandy, which, in the third year of that reign, he resolutely defended against the attacks of Geoffrey, Earl of Anjou, the husband of the Empress Matilda. In the contest between her and the king, he distinguished himself on various occasions in support of the latter; and so high did he stand in the estimation of the contending parties, that on the solemn agreement made by King Stephen with Henry, the son of the empress, in 1158, the tower of London and the castle of Windsor were both put into his hands, by the desire of the whole clergy; he swearing to deliver them up to Henry on the death of Stephen, and giving his son as a hostage for his performance of the trust. To this convention he is one of the witnesses.

Madox quotes a writ, addressed "Ricardo de Luci, *Justic.* et Vicecomiti de Essexâ," to prove that he was chief justiciary in the reign of Stephen.[1] But it affords no evidence to that extent. It would simply prove that he was a justicier, a term which in those days was almost synonymous with that

[1] Madox's Exch. i. 33.

of baron: as when the king covenanted with Milo of Gloucester, "*sicut justiciario et barone meo.*" In this instance, the word is used as a mere designation, and the writ is addressed to him, not as justicier or baron, but simply as Sheriff of Essex, to lands in which county it has reference.

He was sheriff of the united counties of Essex and Hertford, not only at the above period, but also in 2 Henry II.: and about the same time he likewise held the sheriffalty of Berkshire.

Under Henry II. there is full evidence that he was placed in the high office of chief justiciary; though some doubt exists as to the precise period of his appointment. He was the sole witness to the charter of liberties granted by the king at London in the first year of his reign; and though this is not positive, it is strong presumptive evidence that, if not the chief, he was then one of the king's principal ministers. It is, however, known that at a very early period Robert de Beaumont, Earl of Leicester, and he held the office jointly; and their separate precepts occurring in the rolls of the 2nd, 3d, and 4th years of the reign, shew that each had high power. When King Henry, in 1161, being then in Normandy, was exerting himself to procure the election of Becket to the archbishoprick of Canterbury, he is stated to have said to *his justiciary*, Richard de Luci, on sending him to England with his mandate to the monks and suffragan bishops, "Richard, if I were now lying dead, would not you endeavour to raise my eldest son to the throne?"—and upon Richard answering that he would, to the utmost of his power, the king added, "Endeavour equally to raise my chancellor Becket to the see of Canterbury." This fact, though it shows that he was justiciary, does not prove that he was the sole one, but rather affords a contrary presumption; as it would be extremely unlikely that a king of Henry's known prudence would, during his own absence,

leave England without any one to direct the government. This duty was performed by the Earl of Leicester, while Richard de Luci accompanied his sovereign into Normandy. Another instance of Richard's being employed by the king abroad occurs in 1164, when he was sent on some secret mission to the Earl of Flanders, and availed himself of the opportunity to visit Becket, then taking refuge in the abbey of St. Bertin, and to offer his mediation and intercession for the royal pardon. Yet in the preceding year, 9 Henry II., a writ issued in the joint names of the Earl of Leicester and Richard de Luci, authorising the payment of some royal expenses[1]; plainly proving that they then held the office together. In the rolls of the 13th year of the reign, there is evidence of their acting separately; that for Berkshire citing a writ of the Earl of Leicester alone, and that for Suffolk a writ of Richard de Luci alone.[2] It must be remembered, however, that, though thus cited in the roll of that year, it does not follow that the writs did not bear a previous date. This is not unlikely with respect to that of the Earl of Leicester, as he died in that same year.

From a writ on the roll of the previous year, 12 Henry II.[3], addressed to the sheriff of Norfolk and Suffolk, and tested by Geoffrey Mandevil, Earl of Essex, and Richard de Luci, precisely in the same manner, it might be inferred that these two were also joint chief justiciaries. But the difficulty is at once explained by the fact that in that year they travelled together as justices itinerant through most part of England, and, among other counties, into Norfolk and Suffolk. The writ, therefore, arises from their duties on that circuit.

After the death of the Earl of Leicester, Richard de Luci became, without any question, sole chief justiciary. From

[1] Madox's Exch. i. 201.
[2] Ibid. i. 200.
[3] Ibid. i. 205.

that year till 24 Henry II., 1178, numerous writs in his own name, some of them being grounded on a king's writ *de ultra mare*, and the confirmation in the Exchequer of a convention relative to certain land, made "*coram Ricardo de Luci et aliis baronibus*," plainly prove that he then held the highest judicial place in the Curia Regis. During this period, besides the circuits which he took with Earl Geoffrey, we find him holding pleas in Northumberland, 14 Henry II.; in Yorkshire, 15 Henry II.; in Staffordshire, 17 Henry II.; and again in Yorkshire, 19 Henry II., on his return from his expedition to Scotland.[1]

Of his judicial acts as chief justiciary, little is recorded beyond the committal of some London rioters to prison: but the above entries afford sufficient evidence of his activity and diligence in the execution of the legal branch of his office, at the same time that he showed no negligence in his ministerial and political duties.

The preparation of the celebrated Constitutions of Clarendon, in January, 1164, was entrusted to him and to Josceline de Baliol; and they were accordingly subjected to the rancour of Becket, who two years afterwards pronounced sentence of excommunication against them, as the favourers of the king's tyranny, and the contrivers of those heretical pravities. This sentence was repeated by Becket, in 1169, against him and others; but it does not appear to have produced much effect on the laymen included in it.

In 1167, on the threat of an invasion by the Earls of Boulogne and Flanders, Richard de Luci made such preparations of defence as effectually to deter them. His conduct and valour as a warrior were brought more actively forward in 1173, when the king's sons raised the standard of rebellion against their father. The Earl of Leicester,

[1] Madox's Exch. i. 146. 215. 558. 702.

the son of his late coadjutor, having joined their party, Richard de Luci besieged the town and castle of Leicester, and soon reducing the former, and demolishing its fortifications, he granted a truce to the garrison of the latter, in order to march against William, king of Scotland, who had invaded Cumberland, and was besieging Carlisle. Joined by Humphrey de Bohun, the king's constable, he not only forced the Scots and Galwegians to retire, but in revenge for their horrible devastations, he set fire to Berwick, and ravaged Lothian. The Earl of Leicester during this time had arrived in England with a large body of Flemings; but Richard de Luci and Humphrey de Bohun, concluding a truce with the Scottish king, marched immediately against them, and giving them battle at Fernham in Suffolk, on November 1, 1173, not only defeated them with great slaughter, but took the Earl of Leicester and his countess prisoners. The justiciary's activity was not less prominent during the succeeding year, in opposing the Earls of Derby and Huntingdon; and the return of King Henry to England, and the capture of William, King of Scotland, occurring about the same time, the rebellion was effectually suppressed before the end of the year.

His services were not unrewarded by the king, who gave him the Hundred of Ongar in Essex, with Stanford and Greensteed, and many broad lands in that county and in Kent.

After a life devoted to his country, he prepared himself a retirement at its close, by founding, in 1178, an abbey at Lesnes or Westwood, in the parish of Erith in Kent, for canons regular of the order of St. Augustine, endowing it nobly with half of his possessions there. Resisting the entreaties of his sovereign, who knew how to appreciate his abilities, he resigned his office at the commencement of the following year; and assuming the habit of one of the canons

of the house, withdrew from the turmoil of the world to devote the remainder of his days to piety. His seclusion, however, was not of long duration, for on July 14, 1179, 25 Henry II., he terminated his career, and was buried in a sumptuous tomb in the choir of his church.

Few persons have ever held so high and responsible a position for so long a period without incurring some blame, or giving ground for some detraction. Against him, however, with the exception of Becket's malicious fulminations, not a word of charge can be found. But his talents as a lawyer and a judge are universally well spoken of; and as a statesman and a soldier, his bravery and wisdom are particularly distinguished. To the integrity of his character, the best testimony is afforded by the conduct of his sovereign, who, though finding him in arms against himself, and highly in the confidence of his opponent, wisely showed his admiration of fidelity and worth even in an enemy, by admitting him into his own counsels, and entrusting him with the sole administration of the realm.

By his wife, Rohaise, he had two sons and two daughters. Of his two sons, Geoffrey and Herbert, the elder died in his father's lifetime, leaving Richard, his son, who afterwards died without issue; and the younger died unmarried. Of his two daughters, to whom their father's possessions ultimately descended, Maude, the elder, was married to Walter Fitz-Robert, of whom some account will be given in the next reign; and Rohaise, the younger, was married to Fulbert, the son of John de Dover, Lord of Chilham, noticed in a preceding article. Such is the account of the family given by Dugdale; but Francis Thynne, according to Weever, says that he had only one son, Godfrey, afterwards Bishop of Winchester; and three daughters: 1. Maud, the wife of Robert Fitz-Walter; 2. Aveline, the wife of Richard Rivers, Lord of Stanford-Rivers, in Essex; and 3. Rose, the wife

of Richard, the natural son of King John. Another account adds a fourth daughter, Dionysia, married to Arnold de Monteney, Knight.[1]

LUCI, ROBERT DE.

JUST. ITIN. 1174.

ROBERT DE LUCI was probably a relative of the great Richard de Luci, but in what manner does not appear. He was joined to Richard de Wilton, the sheriff of Wiltshire, as justice itinerant to set the assize or tallage for that county, in 20 Henry II., 1174. In the following year he was sheriff of the county of Worcester[2], beyond which no further information occurs.

MALDUIT, JOHN.

JUST. 1170.

JOHN MALDUIT held a place in the Curia Regis or Exchequer in 16 Henry II., 1170, a writ in his name and that of William Fitz-Martin as to the king's debts in the honor of Lancaster occurring in that year.[3] Two years afterwards, he and Turstin Fitz-Simon accounted for the profits of the see of Canterbury, which had been committed to their care on the murder of Becket.[4]

In 20 Henry II., 1174, he was one of the justices itinerant for setting the assize in the counties of Nottingham and Lincoln, in the latter of which he is also mentioned on the rolls of 22 & 23 Henry II.[5]; but the entries there may

[1] Dugdale's Baronage, i. 563.; Weever, 777.; Bloomfield's Norfolk, i. 2.; Morant's Essex, i. 127., ii. 115.; Lord Lyttelton's Henry II., i. 405. 539., ii. and iii. passim; Pipe Rolls, 2, 3, 4 Henry II.

[2] Madox's Exch. i. 124. 546.

[3] Ibid. ii. 253.

[4] Ibid. i. 309. 631.

[5] Ibid. i. 123. 127. 129.

probably have reference only to the uncollected debts of the former year.

It may be presumed that he was a branch of the same family as that of the undermentioned William Malduit, the chamberlain; inasmuch as by an entry on the great roll of 5 Richard I., it appears that John, the son of John Malduit, released to William Malduit, the chamberlain, all his right in a certain tenement in Northamptonshire, which he held under William.[1]

Probably, therefore, this John died just previously to that date; and it was his son John whose death occurred about 12 John, in the roll of which year[2] there is an entry recording a partition of the free tenement, which was of John Malduit, between Flandrina, the wife of Robert de Lega, and Avia, her sister, who no doubt were his daughters and heirs.

MALDUIT, WILLIAM.

Just. 1165.

There are only two instances in which I find the name of William Malduit mentioned as a baron acting judicially. These are in 11 & 30 Henry II., 1165 and 1184: and in both cases he is represented as being present among those sitting in the Exchequer when charters or agreements relative to land were executed or acknowledged there.[3] On each of these occasions he is described as chamberlain, in which character he would have a seat in that court. He does not appear to have been employed as a justice itinerant; although Henry Fitz-Gerold, who was also chamberlain at the same time, has been already shown to have so acted.

William Malduit, or Mauduit (Maledoctus), succeeded to the office of chamberlain on the death of his elder brother,

[1] Madox's Exch. i. 59.
[2] Ibid. i. 506.
[3] Ibid. i. 44. 215.

Robert, about 31 Henry I., 1130–1. The roll of that year (formerly supposed to be that of 5 Stephen) notices the payment of a fine of one thousand marks by William de Pontearch for the ministry or office, and also for the daughter, of Robert Malduit, showing that his death had just previously occurred; and it is known that this William de Pontearch acted as chamberlain a few years afterwards under King Stephen. But the same roll also contains an entry of a payment made to William Malduit "ad Cameram Curiæ": thus proving that he also acted at that time in the office.[1]

Robert and William were the sons of William Mauduit, who is mentioned in Domesday Book as possessing seven lordships in Hampshire; and who was afterwards appointed chamberlain to Henry I., from whom he received in marriage Maud, the daughter of Michael de Hanslape, with the lands of which he died possessed.

It is evident that there were several chamberlains in the King's Court; and that there was one at the head of all, called Magistra Camerariæ, which was an hereditary office. Whatever were their duties in the king's household, it is certain that they were officially connected with the Exchequer, and had the care of the receipts and payments of the revenue. They also sat at this time as barons or justices in the Exchequer.

That there was some interval during the reign of Stephen, in which William Malduit did not enjoy the office, or that some doubt existed as to the right of possession, seems likely, from his obtaining from Henry II., while Duke of Normandy, a grant of the inheritance of the office of chamberlain of his Exchequer, with the castle of Porchester, and all the lands to the chamberlainship and the castle appertaining, both in England and Normandy, in as full a manner as William his

[1] Madox's Exch. i. 58. 263.

father, or Robert his brother, ever held them. He likewise received other valuable gifts and possessions in reward for services rendered to the duke. All these were confirmed to him when Henry II. attained the crown; and it appears from the rolls of that reign, that the Danegeld and other assessments on his property were remitted "per breve Regis;" as was then the practice with regard to the officers of the Exchequer.

He held the sheriffalty of Rutland from 26 Henry II. till the end of the reign; and his name is recorded as chamberlain up to 7 Richard I., 1195; soon after which he probably died, having in the previous year joined an expedition into Normandy.

He was succeeded by his son Robert, of whom mention will be made under the reign of King John.[1]

MANDEVILLE, GEOFFREY DE, Earl of Essex.

Just. Itin. 1166.

Geoffrey de Mandeville, corrupted from Magnaville, a town in Normandy belonging to his ancestors, was the second Earl of Essex after the Conquest. His great-grandfather, of the same name, was one of the companions of the Conqueror in his expedition against England; and for his achievements on that occasion was rewarded with many broad lands and lordships, of which no less than one hundred and nineteen are noted in Domesday Book. Besides these, the Conqueror granted him the custody of the Tower of London, with the hereditary sheriffalty of London and Middlesex and Hertfordshire. His son William succeeded him, and married Margaret, the sole daughter of Eudo the Dapifer; by whom he had a son, named Geoffrey, who, in 31 Henry I., had

[1] Dugdale's Baronage, i. 398.; Pipe Rolls, 2, 3, 4 Henry II. and 1 Richard I.; Madox's Exch. i. 59. 139. 687., ii. 14. 295.

livery of his inheritance, and was steward of Normandy by descent of his mother. King Stephen raised him to the dignity of Earl of Essex; but the Empress Maud won him over to her party by a still more ample charter, confirming to him all the rights and honours and lands which any of his ancestors had held, and making to him most extensive grants. His future prowess was disgraced by so many savage outrages, that, although he had founded the abbey of Walden in Essex, and had made several gifts for pious uses, he was excommunicated; and being in 1144 mortally wounded in battle, the rights of sepulture were refused to his body. By his wife, Rohese, the daughter of Alberic de Vere, Earl of Oxford, he had several sons, viz.: 1. Ernulph, who was banished and disinherited; 2. Geoffrey, the subject of the present notice; 3. William; and 4. Robert.

Henry II. created this Geoffrey, the son, Earl of Essex, giving to him the third penny of the assessments in that county, and restoring to him all the lands of his family; the extent of which may be estimated from his certificate in 12 Henry II., on the assessment to the aid for marrying the king's daughter, that he had ninety-seven knights' fees de veteri feoffamento, and sixty de novo. His talents were considerable, and were employed by his sovereign both in the council and the field.

He and Richard de Luci were sent both in 12 & 13 Hen. II., 1166-7, as justices itinerant to hear criminal and common pleas throughout England[1]; and they were also entrusted with the expedition against the Welsh, during which the earl fell sick at Chester, and died there on the 12 calends of November (October 21), 1167, 13 Henry II. It is true that the Great Roll of 15 Henry II. contains entries of his pleas in Yorkshire and Northamptonshire[2], but these are doubtless the debts remaining due on the pleas of the former years.

[1] Madox's Exch. i. 148, 149. [2] Ibid. i. 143.

He was buried in the abbey of Walden, notwithstanding the attempts of Rohese, his mother, to have his body removed to the priory of Chicksand, in Bedfordshire, which she had founded. Leaving no children, he was succeeded by his brother William, of whom some account will be given as chief justiciary in the next reign.[1]

MANTELL, ROBERT.

Just. Itin. 1173. Just. 1176.

For twelve years from 16 Henry II., 1170, Robert Mantell was sheriff of the united counties of Essex and Hertford.[2] In 19 Henry II., 1173, and in the six following years, he acted as a justice itinerant, not only in those counties, but also in eight others[3]; and his name appears as one of the justiciers in the Curia Regis in 23 Henry II., 1177.[4] Besides these duties, he seems likewise to have been employed as a justice of the forest in 17 & 18 Henry II.[5], and again in 1 Richard I.[6]

I find no mention made of his parentage: but in 30 Hen. II., 1184, his son Matthew came before the Exchequer as his "future heir," and acknowledged that he had no claim to a certain field called Holm.[7]

MAP, WALTER, Precentor of Lincoln, and Archdeacon of Oxford.

Just. Itin. 1173.

Walter Map, or Mapes, as he is more commonly though erroneously called, the facetious poet and satirist, was one of

[1] Madox's Exch. i. 49. 28.; ii. 138. 164.; Dugdale's Baronage, i. 201; Nicolas's Synopsis of the Peerage.
[2] Fuller's Worthies.
[3] Madox's Exch. i. 123. 126. 129. 132. 135. 701.
[4] Ibid. i. 94.
[5] Ibid. i. 344., ii. 131.
[6] Pipe Roll, 1 Richard I. p. 79.
[7] Madox's Exch. i. 215.

the justices itinerant in this reign. Madox names him in that character in 19 Henry II., 1173, as joined with John Cumin and Turstin Fitz-Simon in setting the assize for the king's demesnes in Gloucestershire[1], in which county he held the living of Westbury.[2] Giraldus Cambrensis, who was his intimate friend, in his *Speculum Ecclesiæ*, an inedited work among the Cottonian MSS., says of him, "*pluriesque* justiciariis errantibus ad jura regni tuenda justiciamque regiam exercendam associatus esset."[3] But as Madox, though his subsequent list of the justiciers is sufficiently extensive, does not again name him, the "oftentimes" of Giraldus is probably nothing more than a friendly exaggeration of the author. Indeed, the sequel of the passage satisfactorily accounts for his being omitted in future years, inasmuch as it states that Walter always insisted on adding to the accustomed oath required to be taken by his colleagues and himself that they would administer right to every one, an exception against the Jews and white monks. His hostility against the latter originated, according to Giraldus, in the encroachments made by the Cistercians of Newenham on the rights and property of his church of Westbury; and was exhibited against the whole order in various Latin compositions, both in prose and verse, highly humorous and severe. None of them, however, remain; those which have been preserved being of a more general character.

He was born on the Marches of Wales, probably in the county of Hereford; but of his parents he states nothing, except that they had rendered important services to King Henry both before and after his accession to the throne.

[1] Madox's Exch. i. 701.

[2] In an argument in Michaelmas Term, 30 Edward III., it is stated that Walter Mape was presented to the church of Westbury in the time of King John. Year Book, Edward III. : sed qu. ?

[3] Quoted in the appendix to the introduction (p. xxxi.) to "The Latin Poems commonly attributed to Walter Mapes," Camden Society.

He studied at Paris, and attended the school of Gerard la Pucelle, who lectured there about 1160. Distinguished as well by his wit and learning as by his courtly manners, he became on his return a favourite of the king; and he repeats conversations he had with Becket before he was made archbishop in 1162. He was employed by the king in missions to the courts of France and Rome, and at the latter he was selected by Pope Alexander III. to examine and argue with the deputies of the then rising sect of the Waldenses. With these proofs of the consideration in which he was held, he received substantial marks of the royal favour. Besides several smaller ecclesiastical preferments, he held at various periods canonries in the churches of Salisbury and St. Paul's, was Precentor of Lincoln, and ultimately Archdeacon of Oxford, to which he was advanced about the year 1196. He was alive in 9 John, 1207–8, as in that year the custodes of the abbey of Eynsham were ordered to pay him his accustomed rent of five marks per annum from that abbey[1]; but he certainly died before Giraldus Cambrensis wrote the preface to his Hibernia Expugnata, which was dedicated to King John.

Some of his writings, which were composed in short rhyming verse, were so popular in his day, that the copies of them were greatly multiplied; and any effusions which were remarkable for their wit and sprightliness were attributed to his pen. Among the numerous compositions which go under his name, it is difficult to ascertain with certainty how many he really wrote. In the introduction to the Collection of Poems attributed to him, published by the Camden Society, Mr. Wright gives satisfactory proof that several of those which appeared under the name of Golias Episcopus were written by Map; and that Golias was no real person, as some writers have believed, but a mere fanciful appellation given to the burlesque representative of the ec-

[1] Rot. Claus., John I., 106.

clesiastical order, and the instrument of holding up to ridicule the vices of the Romish Church. The jovial character of some of these poems has caused him to be considered as a toper, but there is no other evidence to support such an imputation; and the drinking-song which is ascribed to him, commencing thus,

"Meum est propositum in taberna mori,"

is a compilation of a much later period, from some lines in the *Confessio Goliæ*, containing a mock confession of his three vices, of which one was his love of wine.

His prose works are a treatise *De Nugis Curialium*, and a tract intitled *Valerius ad Rufinum de non ducenda Uxore*; neither of which have been printed.[1]

MARMION, ROBERT.

JUST. 1165.

See under the Reigns of Richard I. and John.

MONACHUS, GEOFFREY.

JUST. 1165.

AMONG the "assidentes Justiciæ Regis" present in the Exchequer in 11 Henry II., 1165, on the execution of a charter between the abbots of St. Alban's and Westminster, the names "Gaufrido Monacho et Willielmo filio Andelmi, Marescallis Regis," appear. That he held an office in the chamber of the Exchequer in 2, 3, and 4 Henry II. is evidenced by entries on the rolls of those years recording many payments made to and by him on the king's account.

It may be presumed that he was a monk no otherwise than in name, from the fact that he held lands in the counties of

[1] Introduction to Latin Poems, attributed to Walter Mapes. Edited by Thomas Wright, and published by the Camden Society. Biographia Britannica Literaria, by Thomas Wright, ii. 295.

Essex, Somerset, Dorset, Gloucester, and Wilts; and that the Danegeld and other assessments from which he was relieved as one of the officers of the court, amounted in one year to the sum of six pounds eleven shillings and three pence.[1]

MOREVILLE, HUGH DE.

Just. Itin. 1170.

The barony of Burgh-on-the-Sands, in Cumberland, and other possessions in that and the neighbouring counties, belonged to Hugh de Moreville, as successor to his father Roger, and his grandfather Simon; the latter of whom had acquired them by his marriage with Ada, daughter of William de Engaine. Hugh was also forester of Cumberland, and added to his property that of his wife, Helewise de Stuteville, a relative, probably a sister, of the Baron Robert de Stuteville.

In conjunction with the latter, he was a justice itinerant for the counties of Northumberland and Cumberland in 16 Henry II., 1170[2]; but although Robert de Stuteville acted in the same capacity in the following year, the name of Hugh de Moreville no longer appears as his associate. His discontinuance in this honourable office arose from the part he took in December, 1170, in the murder of Becket, which has been related in a former page.[3] After the assassination, he and his colleagues retired without interruption, and repaired to a castle at Knaresborough which belonged to Hugh de Moreville, where they stayed many months, not daring to return to Henry's court. It is added by William of Newbury, "that being stung with remorse, they willingly went to Rome, and were sent by the pope to Jerusalem,

[1] Madox's Exch. i. 44.; Pipe Rolls, 1, 2, 3 Henry II. 17—180.
[2] Madox's Exch. i. 144.
[3] See p. 215.

where, after they had for some years performed not remissly the penance enjoined them, they all ended their lives." However this may be with regard to the others, it certainly is not true in reference to Hugh de Moreville's death.

During the remainder of the reign of Henry II., and the whole of that of Richard I., no mention is made of his name; but in the first year of King John he is recorded as paying fifteen marks and three good palfreys for holding his court with his liberties "de Tol et Theam, et Infangenetheif, et Furto, et de Judicio Ferri et Aquæ," as long as Helewise his wife should continue in a secular habit.[1] He died shortly afterwards, leaving two daughters, one of whom, Ada, he had previously married to Richard de Luci, son of Reginald of Egremont, for the king's consent to which he had fined two complete horses. She after Richard's death married Thomas de Muleton, the justicier in the reign of Henry III. Joane, the other daughter, with her inheritance and the office of forester, was placed under the wardship of William Briwer in 3 John, for a fine of 500 marks, with a power to marry her either to his son Richard, or to his nephew Richard de Gernum.[2] The latter became her husband, and upon a partition of their father's lands in 6 John, the king's treasury was benefited by two further fines; one of 900 marks and five palfreys from Richard de Luci, and the other of 600 marks from Richard de Gernum.[3]

MOREWIC, HUGH DE.

JUST. 1184.

HUGH DE MOREWIC, the son of Ernulf de Morewic, held the manor of Chidington, in Northumberland, by the service

[1] Rot. de Oblatis, 1 John, 54. [2] Ibid. 3 John, 184.
[3] Dugdale's Baronage, i. 612.; Lord Lyttelton's Henry II., ii. 3. 101. 589.; Hasted's Kent, xii. 331.

of one knight's fee. He was in attendance on the king at Waltham in 1182, whose will then made he witnessed. In 30 Henry II., 1184, he was one of the justiciers and barons before whom a fine was acknowledged in the king's court at Westminster[1]; and he afterwards acted as a justice itinerant in Lincolnshire and Yorkshire, his pleas in those counties being recorded on the roll of 1 Richard I.[2] They are evidently, however, the arrears of a previous year. He held the sheriffalty of Cumberland in 31 Henry II. and two following years.

On the fine he is styled "dapifer regis," an office which he held with Hugh Bardolf. It is not improbable that they were dapifers of Normandy, since an allowance was made to them in the Norman roll of that year, for 100*l.* disbursed for the king's expenses when he was at Gisors.[3]

His death occurred about 2 Richard II., 1190, when his brother Nicholas paid two hundred marks for the wardship of his son Hugh. This Hugh had a son of the same name, who died in 45 Henry III., leaving only three daughters.[4]

MORGAN, HAMON.

Just. Itin. 1174.

Hamon Morgan, although one of the justices itinerant who actually fixed the assize of the county of Hants in 20 Henry II., 1174, by virtue of the writ of Richard de Luci, does not seem to have been originally appointed; the words "qui fuit in loco constabularii" being added to his name.[5] The constable at that time was either Henry or Mabel, sons

[1] Preface to Fines of Richard I. and John.
[2] Pipe Roll, 1 Richard I., 60. 78.
[3] Madox's Exch. i. 168.
[4] Dugdale's Baronage, i. 678.
[5] Madox's Exch. i. 125.

of Milo de Gloucester, Earl of Hereford; but why named for the performance of this duty does not appear.

MUCEGROS, MILO DE.

JUST. ITIN. 1174.

No other mention occurs of Milo de Mucegros than that he was one of the justices itinerant, in conjunction with William de Braiosa, to settle the assize of Herefordshire in 20 Henry II., 1174 [1]; and that he was sheriff of the county with William Torell in the twenty-ninth year of that reign.[2]

MURDAC, HUGH, afterwards ARCHDEACON OF CLEVELAND.

JUST. ITIN. 1179.

HUGH MURDAC was a chaplain of King Henry II., and doubtless of the same family as Henry Murdac, abbot of Fountains, who was raised to the archbishoprick of York in 1146, and died in 1153. He was one of the justices itinerant selected by the king at the council of Windsor in 25 Henry II., 1179, and was appointed with four others to exercise judicial functions in the counties of the home district [3]; in which he acted also in the following year.[4] Madox quotes an entry in a book in the possession of the dean and chapter of London, showing that he was present in the Exchequer in 30 Hen. II., when an acknowledgment as to certain lands was made there [5]: whether as a baron or an officer is not apparent. In the next year he had the custody of the abbey of Selby, then in the king's hands.[6]

The archdeaconry of Cleveland was given to him in 1200,

[1] Madox's Exch. i. 124.
[2] Fuller's Worthies.
[3] Dugdale's Chron. Series.
[4] Madox's Exch. i. 138.
[5] Ibid. i. 215.
[6] Ibid. i. 309.

2 John, on the resignation of John de Gray; and he held it till 1204.[1]

MURDAC, RALPH.

Just. Itin. 1184.

See under the Reign of Richard I.

NEVILLE, ALAN DE.

Just. 1165.

Alan de Neville (Nova-villa) is mentioned as one of the "assidentes Justiciæ Regis" in the Exchequer in 11 Hen. II., 1165, before whom a charter was executed between the abbots of St. Alban's and Westminster.[2] He is the second of four, after whose names the designation of "Marescallis Regis" is added; but whether these words apply to all the four, or only to the last two, is not clear. From 12 Henry II., however, he for many years filled the office of justice of the forests throughout all England.[3]

According to Dugdale, Alan de Neville was the brother of Gilbert de Neville of Lincolnshire, Rutland, and Oxfordshire. He has distinguished this Gilbert from Gilbert de Neville, the admiral of the Conqueror, and ancestor of the Nevilles of Raby; and yet has afterwards confused them together, making the former Gilbert the ancestor of the latter's family, and representing him in one instance as the father, and in another as the grandfather, of Isabel, who married Robert Fitz-Maldred, the lord of Raby.

Dugdale also mistakes in calling this Alan a justice itinerant in 16 Henry II., the roll clearly showing that it was his son, Alan de Neville *junior*.[4]

He held the forest of Savernac, in Wiltshire, from the rent

[1] Le Neve, 328.; Rot. Chart. 2 John, 103.
[2] Madox's Exch. i. 44.
[3] Ibid. i. 144. &c.
[4] Ibid. i. 144.

of which the king, in the ninth year of his reign, commanded that he should be excused. He was one of those lords of the council who, for the energy of his measures in support of the king against Becket, was excommunicated in 12 Henry II., 1166; but he afterwards received absolution from Gilbert Foliot, Bishop of London, on condition that he should go to Rome and submit himself to the pope. Whether he did this is not mentioned; and no other circumstance is recorded of him but that he died in 2 Richard I., leaving two sons, the under-mentioned Alan, and Geoffrey.[1]

NEVILLE, ALAN DE, JUNIOR.

JUST. ITIN. 1170.

ALAN DE NEVILLE junior was employed as a justice itinerant during his father's life, being so called in the great rolls, which mention his pleas in twelve counties from the 16 to 25 Henry II., 1170–1179. He seems to have acted also as justice of the forest, perhaps as deputy to his father. This office was afterwards possessed by several members of the family; but the account which Dugdale gives is too indistinct to decide on the precise relationship they bore to this justicier.[2]

NIGEL, BISHOP OF ELY.

JUST. 1156. ? CHANCELLOR. . .

NIGEL was the nephew of Roger, Bishop of Salisbury, the great justiciary of Henry I. The influence of that prelate procured for him, first, the office of Treasurer of England; and next, the bishoprick of Ely, to which see he was elected in May, 1133.

On the death of King Henry, historians differ as to the

[1] Dugdale's Baronage, i. 287.; Rapin.

[2] Madox's Exch. i. 133. 144., &c.; Dugdale's Baronage, i. 287.

part he took in the usurpation of Stephen. There is little doubt, however, that the king suspected his fidelity, and that, though for a short time at the beginning of that reign he was continued in the office of treasurer, his detention was intended when his uncle Roger, and his cousin Alexander, Bishop of Lincoln, were seized at the council of Oxford, in 1139. His escape to the castle of Devizes, and his refusal to deliver it into the king's hands until his uncle had been subjected to three days' fast, have already been related in the account of Roger, Bishop of Salisbury. Nigel's suspension or ejection from his bishoprick for several years, was the consequence of his resistance.

With the accession of Henry II. his prosperity returned. He probably resumed the office of treasurer, until he purchased it for his son Richard, whom Alexander Swereford describes as his successor. That at an early period he held a high judicial position, appears from a writ being directed in his name alone to the sheriff of Gloucester.[1] In it he is styled "Baro de Scaccario," and the witnesses to it are William Cumin and John Marescall, who acted frequently together about 2 Henry II., 1156. In the 11th year, 1165, his name stands the first of those before whom a charter or contract between the abbot of St. Alban's and Westminster was executed, in which they are described as "assidentibus Justiciis Regis."[2] At this time Richard, his reputed son, was treasurer, and is so called in the charter. This Richard, who was afterwards Bishop of Lincoln, is supposed to have been the author of that valuable "Dialogus de Scaccario" which Madox has printed at the end of his History of the Exchequer. In that work a high character is given of Nigel, as most learned in his office: representing him as having an incomparable knowledge of the business of the Exchequer,

[1] Madox's Exch. i. 209. [2] Ibid. i. 44.

and as restoring the science and renewing the forms which had been almost lost in the struggles of the preceding reign. It adds also that his suggestions for the raising of money were distinguished for their mildness.[1]

Hardy introduces his name in his Catalogue of Chancellors immediately following that of Geoffrey Plantagenet. This, however, could not be the case, as Nigel was dead before Geoffrey was chancellor; and it seems to me that his introduction at all as chancellor is founded on a mistake in transcribing the charter which is the only authority brought forward, as I have endeavoured to show in a previous page.[2]

For three years before his death, which happened on the 29th or 30th of May, 1169, 15 Henry II., he was afflicted with paralysis. His public cares are stated to have rendered him inattentive to his pastoral duties; but that he did not altogether disregard them is proved by his foundation of a hospital for regular canons at Cambridge, on the site where St. John's College now stands.[3]

NORWICH, BISHOP OF. *See* JOHN OF OXFORD.

OGER THE DAPIFER.

JUST. ITIN. 1170.

OGER was one of the dapifers of the household, of whom so many are noticed among the justiciers of this reign: viz., Hugh Bardolf, William Fitz-Aldelm, Hugh de Morewic, and William Fitz-Ralph. Besides these names, several others occur. The office is believed to be the same as seneschall or steward; and as there were several at the same time, some perhaps were of England and others of Normandy. In

[1] Madox's Exch. ii. 337. 388.

[2] See antè, p. 166.

[3] Madox's Exch. i. 56. 78.; Angl. Sac. i. 618.; Godwin de Præsul. 250. 340.

14 Henry II. the honour of Eye was committed to his charge, and he accounted for the scutage of its ninety knights' fees and a half.[1] He was then sheriff of Norfolk and Suffolk, and held that office from 10 Henry II. for several years.[2]

His name appears in 16 & 17 Henry II., 1170–1, as one of the justices itinerant in those counties with Guy the Dean[3]; but as he is not shown to have acted in that capacity in any other part of England, he probably was only so employed as sheriff, as was common at that time, for the purpose of assisting in settling the assessments to the tallages and aids then imposed.

He was the father of Oger Fitz-Oger, whose name will appear in the next reign.

OXFORD, Archdeacons of. *See* Walter de Constantiis, Walter Map.

OXFORD, CONSTANTIUS DE.

Just. Itin. 1174.

The name of a man's native place, or that of his residence, or even of his studies, so frequently in these times was adopted by him or those who spoke of him, that, unless peculiar circumstances were connected with his history, it is seldom possible to trace the identical individual who bears a local designation.

Constantius de Oxford, a justice itinerant appointed by the writ of Richard de Luci, in conjunction with Alard Banastre, the sheriff, to assess the tallage on the county of Oxford in 20 Henry II., 1174[4], was probably a priest, or other ecclesiastical person of that city; for the religious orders very commonly cast off their family names, and

[1] Madox's Exch. i. 573.
[2] Fuller's Worthies.
[3] Madox's Exch. i. 144, 145.
[4] Ibid. i. 124.

adopted either that of the monastery to which they belonged, or the locality in which their clerical duties were exercised.

OXFORD, JOHN OF, DEAN OF SALISBURY, BISHOP OF NORWICH.

JUST. ANGL. 1179.

JOHN OF OXFORD was so called from the place of his birth, being son of a burgess of that city, named Henry. Educated for the ecclesiastical profession, he was appointed one of the king's chaplains, in which office he must soon have distinguished himself; since, though holding no higher dignity, he presided at the famous council of Clarendon in January, 1164, and was afterwards sent with Geoffrey Ridel to the pope to obtain his confirmation of the ancient customs of the realm as they were there propounded.

In this embassy they of course failed; but in the following year he was again despatched with another associate, and in their way to Rome they attended a diet at Wurzburgh, which had been assembled for the acknowledgment of the opposition pope, Pascall III. They are charged with having undertaken that the king should support this pope; a charge which, though they denied it, was made the pretence by Becket, in 1166, for excommunicating John of Oxford, and for excluding him from the deanery of Salisbury, to which he had been just previously admitted. John, however, being again sent to Rome in the same year, succeeded so well in exculpating himself, that the pope reinstated him in his deanery, and absolved him from Becket's sentence. The negotiation for his sovereign also he conducted with equal ability and success; obtaining from the pontiff the appointment of two cardinals as legates *a latere* to hear and determine the dispute with Becket, which was in fact a suspension of the legantine power previously granted to him; and

bringing home, in addition, the pope's dispensation for Prince Geoffrey to marry his third cousin, the heiress of Bretagne. So high was his credit with Henry, that in 1167 he was entrusted with a confidential embassy to the Empress Maud, the king's mother, to counteract the efforts which Becket was then making to induce her to interfere in his quarrel; efforts which were rendered of no avail, by her death towards the end of the year. In the year 1170 he was again employed in another embassy to the papal court, then at Beneventum, in reference to Becket's affair; and when the agreement between the king and that prelate was at last effected, he was, to the great annoyance of the latter, appointed to accompany him to England. This duty he performed in good faith, and prevented the interruption to his landing at Sandwich, threatened by Gervase de Cornhill, the sheriff of Kent, and others.

On December 14, 1175, he received the reward of his services by being consecrated bishop of Norwich; and in the next year was sent to accompany the king's daughter, Jane, to her intended husband, the King of Sicily.

In 1179, he with three other English bishops attended the Lateran council held against schismatics. On his return he was one of the three prelates to whom, on the retreat of Richard de Luci to the abbey of Lesnes, the execution of the office of chief justiciary was entrusted; the other two being Richard Tocliffe, Bishop of Winchester, and Geoffrey Ridel, Bishop of Ely. They were at the same time placed at the head of three of the four divisions [1] in which England was then arranged for the administration of justice. It is curious that this appointment was in direct opposition to one of the canons of the Lateran council, from which John of Oxford had just returned; and naturally produced a remonstrance

[1] Dugdale's Orig. Jurid. 20.; and Chron. Series.

from the pope, which led to a justification by the archbishop of Canterbury of their acceptance of the office. Whatever may have been the cause, however, it is certain that the bishops were soon removed from the presidency of the court, which, in the course of the following year, was conferred on Ranulph de Glanville, one of their lay associates. That John of Oxford continued to perform judicial duties after this event is evident from the roll of Richard I., which proves that he acted either in that or the preceding year as a justice itinerant in several counties.[1]

Seized with the mania of the age, he devoted himself to the Crusade in 1189; but being attacked by robbers on his way to the Holy Land, and despoiled of all his property, he turned his steps to Rome, where, representing the inadequacy of his means to support the expense of the undertaking, he procured an absolution from his vow.

The remainder of his life was devoted to his episcopal duties, and to the restoration of his church, which had been injured by a fire. Many houses also which had been destroyed at the same time he caused to be rebuilt; and to his other benefactions to the poor, he added the erection of a hospital.

He died on June 2, 1200, and was buried in his own cathedral. The history of his life supports the character he acquired of being an able negotiator, a graceful orator, and a man of sound judgment and quick discernment. To his other occupations he added that of an author, having written a history of all the kings of Britain; besides some occasional works, among which were a book "Pro Rege Henrico contra S. Thomam Cantuariensum;" an account of his journey into Sicily; and some orations and epistles to Richard, Archbishop of Canterbury.[2]

[1] Pipe Roll, 1 Richard I., 27. 50. 211. 238.

[2] Godwin de Præsul. 428.; Weever, 789.; Angl. Sac. i. 409.; Lord Lyttelton's Henry II., ii. 362. 416. &c., iv. 100.; Ric. Divisiensis, 12.

PEC, RICHARD DEL.

JUST. ITIN. 1179.

See under the Reign of Richard I.

PIKENOT, ROBERT.

JUST. ITIN. 1176.

ROBERT PIKENOT is the last named of the eighteen justices itinerant to whose judicial superintendence the six divisions into which the kingdom was apportioned in 22 Henry II., 1176, was submitted; the northern counties being allotted to him and two others.[1] His name does not occur in any subsequent year.

PINCERNA, ALEXANDER. *See* BOTELER.

PINKENI, GILBERT DE.

JUST. ITIN. 1170.

GILBERT DE PINKENI, or Pincheni, was a baron whose property lay in Northamptonshire and Berkshire. Having succeeded his father Ralph, he held the sheriffalty of Berkshire in 4 Henry II. and two following years; and on the assessment levied in 12 Henry II. on the aid for marrying the king's daughter, his knights' fees *de antiquo feoffamento* were eleven, and those *de novo* were three and a half.

His appearance in this catalogue arises solely from his being one of the twelve named by Dugdale as justices itinerant in 16 Henry II., 1170, but whose real office was to inquire into the abuses of the sheriffs, and had nothing to do with the ordinary legal proceedings.

He died about the end of that king's reign, leaving a son named Henry, who succeeded to his possessions. The ninth

[1] Dugdale's Chron. Series; Madox's Exch. i. 128.

baron, Henry de Pinkney, was summoned to parliament by Edward I., as Dominus de Wedon; but the barony became extinct on his death without issue.[1]

PIPARD, GILBERT.

JUST. ITIN. 1176.

IN 14 Henry II., and for the three following years, Gilbert Pipard held the sheriffalty of Gloucestershire, succeeding William Pipard, probably his father, who had been sheriff for the four previous years. At the distribution of England, in 22 Henry II., 1176, among the eighteen justices itinerant appointed by the council of Northampton, he was the last of the three to whom the counties of Wilts, Dorset, Somerset, Devon, and Cornwall were appropriated. In the subsequent arrangement also, made by the council of Windsor in 25 Henry II., 1179, when England was divided into four parts, he was selected to administer justice in one of them.[2] Some of the charges arising from his pleas in Herefordshire occur so late as 1 Richard I.[3], but they evidently have reference to an iter in a previous year.

The following counties, in addition to that of Gloucester, were entrusted to his superintendence as sheriff:—Herefordshire, in 18 & 19 Henry II.; Cheshire, in 30 Henry II., and Lancashire in 1 Richard I.[4] In 1180 he was employed in Normandy, being the custos of the castle of Exmes and fermor of the Vicomté: and in that year he accounts for the issues of the forests of Moulin-la-Marche and Bonmoulins.[5]

[1] Dugdale's Baronage, i. 556.; Pipe Rolls, 2, 3, 4 Henry II., 123.; Nicolas's Synopsis of the Peerage.

[2] Dugdale's Chron. Series; Madox's Exch. i. 128—137.

[3] Pipe Roll, 1 Richard I., 143.

[4] Fuller's Worthies, Cheshire, Gloucester, Hereford; Madox, i. 205.

[5] Rot. Scacc. Norm. i. 50. 103, 104.

PLANTAGENET, GEOFFREY, Bishop of Lincoln, and Archbishop of York.

Chancellor, 1181.

Geoffrey Plantagenet was the younger of the two sons of Henry II. by Fair Rosamond, one of the daughters of Walter de Clifford, a baron of Herefordshire. The date of his birth, like the whole of his mother's history, is involved in some doubt. If, when he was elected Bishop of Lincoln in 1173, he had, as is said by Giraldus Cambrensis, scarcely completed his fourth lustre, he must have been born in 1153 or 1154. This might have been the case had he been the *elder* son, as his father was in England in the first of these two years. But as the other son, William Longsword, afterwards Earl of Salisbury, was his senior, the period of Geoffrey's birth must have been later, unless Henry's connection with Fair Rosamond had commenced in his first visit to England in 1149, when he was only sixteen years of age, which was not a very likely occurrence. The date of 1158 or 1159, which other writers give of his birth, seems more probable, especially as on his seal, attached, after his election as bishop, to a grant of certain churches to the priory of Burlington, in Lincolnshire, an impression from which is published in the Archæologia, vol. xxi. p. 31, he is represented as a boy, which he would scarcely have permitted had he attained his twentieth year.

Notwithstanding his youth and the irregularity of his birth, Henry easily obtained the confirmation of the English bishops, and contrived also to procure a dispensation from the pope from those impediments. Although, previously to his election to the bishoprick, he had held an archdeaconry in the same cathedral, he was not of course admitted into priest's orders; so that he could not yet be consecrated nor enter on his pastoral duties. It is stated that his father sent

him to Tours to prepare himself in the schools there for undertaking his episcopal charge.

This was probably at a somewhat later period; because he took an active part in 1174 in aiding his father, when his sons raised the standard of rebellion against him. With this view he had applied to, and obtained from the gentry and people of his diocese, a considerable sum of money as a free contribution; but on being apprised that it was deemed an exaction, he at once returned the whole. By this popular act he found himself at the head of a large body of volunteers, with whom, throwing off his ecclesiastical character, he surprised and levelled to the ground the castle of Kinardsferry, a strong fortress in the Isle of Axholme, belonging to Roger de Mowbray. He then, at the request of Ranulph de Glanville, the sheriff of Yorkshire, raised another fine army, and marching into that county, took and demolished the castle of Malepart, or Malesart, which Roger de Mowbray had built, about twenty miles from York. On joining his father shortly afterwards at Huntingdon, the king welcomed him with affection, and declared that his other children were bastards, and he alone had shown himself his true and legitimate son.

The tendency of his inclinations being thus exhibited towards a military, rather than a clerical, career, it is not surprising, when the Pope, in 1181, insisted that he should either take priest's orders, and be consecrated, or renounce the see of Lincoln, the profits of which he had received without performing its duties, that he should voluntarily resign his bishoprick. In his letter of resignation he calls himself chancellor, to which office the king had previously appointed him; granting him also a salary of five hundred marks in England, and the like sum in Normandy. This office he continued to hold during the remainder of his father's reign[1];

[1] Dugdale's Chron. Series; Dugdale's Monast. (1846), v. 588., vi. 938.

and he is said to have acted in it, notwithstanding his youth, with extraordinary equity and discretion. The affection of his father for him may be seen as well in the charters as in his will, in all of which he is called "my son and chancellor."

In 1187 his native talents as a military commander were again called into exercise by the king's placing him at the head of one of the divisions of the army he had raised in Normandy; and his affectionate adherence to his father in all his troubles was strongly evidenced in the last war in which the king was engaged. Philip Augustus of France had attacked Mans, the capital of Maine, into which Henry, with Geoffrey, had thrown himself. On the town taking fire, Geoffrey in vain aided the attempts to extinguish the flames; but was obliged to fly with the king, and taking refuge in the castle of Fresnelles, he offered to remain without, as a guard against the expected attacks of the pursuers. Henry, however, not willing that, exhausted with the fatigues he had undergone, he should expose himself further, insisted on his entering the castle and sharing his own bed. He distinguished himself greatly during the short remainder of the war; and when the peace was concluded on June 28, 1189, and the ingratitude of Prince John, which was then exposed, had so severely stung his father's heart as to produce the fever from which he never recovered, he continued with him in the last trying moments, and soothed him with that affection and respect which his other sons had never shown him. Among the last wishes expressed by the king was his desire that Geoffrey should resume his clerical character, and obtain either the bishoprick of Winchester or the archbishoprick of York; and giving him two rings of great value as a mark of his love, he died at Chinon on July 6.

The roll of the first year of Richard's reign mentions Geoffrey as chancellor; but as part of the accounts in that roll necessarily refer to the last year of Henry's life, it affords

no proof that he continued in the office after his father's decease. Richard was at that time abroad, and there is evidence that both before and immediately after his coronation William de Longchamp was acting as his chancellor.

King Richard, however, treated Geoffrey with the kindness he deserved, and in compliance with Henry's wish nominated him to the vacant archbishoprick of York even before his arrival in England; requiring, however, from him at the same time a contribution of three thousand marks towards the expenses of the crusade. A subsequent quarrel with the king, and difficulties started by Baldwin, Archbishop of Canterbury, for some time delayed his consecration; but accommodating the former and disregarding the latter, he at last procured ordination from a Scotch bishop, and having been confirmed by the pope, was consecrated by the Archbishop of Tours in August, 1191.

Sailing for England, he landed at Dover on the 14th of September, and took up his residence at the priory of St. Martin. There the sheriff of the county, by order of the chancellor, William de Longchamp, now Bishop of Ely, to whom Richard had entrusted the government of the kingdom during his absence in the Holy Land, kept him in siege for several days, and then obtaining entrance, on September 19, had him violently dragged from the altar itself; and on his refusal to return to Flanders, carried him to the castle prison, and detained him in custody there for eight days. On the Bishop of London's interference, and marks of public indignation appearing, the chancellor thought proper to order his liberation. The precise cause of this outrage is uncertain; but it possibly arose from a dispute which seems to have occurred between the king and the archbishop as to the appointment of certain officers of his church. Be this as it may, the king was soon after compelled, for this and other causes, to consent to the removal of the chancellor.

Hoveden relates that Geoffrey outbid the chancellor for the sheriffalty of Yorkshire, offering three thousand marks for it. Possibly this may be the money which the king is supposed to have claimed as the price of the archbishoprick; but the roll of 10 Richard I. proves that it was not paid even at that time. Geoffrey's reception by the clergy and people after his imprisonment, was a triumph both in London and York; and for some years he appears to have quietly employed himself in the affairs of his province, and to have refrained from interfering in politics.

Soon after the death of Richard, Geoffrey fell under the displeasure of King John; the principal cause of which was his refusal to permit the carucage, which had been generally granted to the king throughout the rest of England, to be collected in his province. The immediate effect of this was the seizure of all his manors and other possessions; and though the archbishop did not hesitate to punish James de Poterna, the sheriff, and all others engaged in it, with those who had excited the king's anger against him, he succeeded in effecting a reconciliation with the monarch which lasted for several years. In 1207, however, he resisted the payment of the thirteenth penny which the king had imposed, and found it necessary to retire privately from England, in order to avoid the royal resentment. In this exile he continued nearly seven years, and at last died at Gromont, in Normandy, on December 18, 1213.

The affectionate duty which he showed to his father, King Henry, must incline us to a favourable interpretation of his conduct in the two succeeding reigns, and induce us to attribute his misfortunes to the irritability of Richard and the overbearing tyranny of John, each of whom his independence of character and his strict sense of justice would, though in a different manner, excite. His military inclinations do not appear to have prevented him from being a

good bishop; nor do some minor dissensions between him and the canons of his cathedral at all detract from the character he must ever hold in history as a valiant soldier, an able commander, a wise counsellor, and an excellent son.[1]

POICTIERS, ARCHDEACON OF. *See* RICHARD TOCLIFFE.

RALPH, ARCHDEACON OF COLCHESTER.

JUST. 1189.

See under the Reign of Richard I.

RALPH, ARCHDEACON OF HEREFORD.

JUST. 1187.

See under the Reign of Richard I.

RICHARD, ARCHDEACON OF WILTS.

JUST. ITIN. 118. .

ALTHOUGH the pleas of Richard, Archdeacon of Wilts, and his companions are mentioned on the roll of 1 Richard I., for the county of Cornwall, they evidently refer to an iter in a previous year; as they are immediately followed on the same roll by two other series of pleas, the last of which are entitled "nova placita," and were taken before other justiciers in that year.[2] In 31 Henry II., 1185, he and two others were the custodes of the see of Exeter while it was in the king's hands[3]; and it was probably while he had that charge that he acted as a justice itinerant in the diocese.

His death occurred previous to, or in the year 1203, 5 John; a royal confirmation being given by a patent of that year of a grant made to Wymundus, the sub-dean, "de domibus illis quæ fuerunt Ricardi, Archidi. Wiltesiri."[4]

[1] Godwin de Præsul. 286. 675.; Rich. Divis. 15. 34.; Madox's Exch. i. 35. 87. 459., ii. 139.; Rog. de Wendover, ii. 370. 379. 409., iii. 2. 9. 20. 38. 50. 128. 154. 210. 242.; Lord Lyttelton's Henry II., ii. 150., iii. 134. 428. 449. 508., &c.

[2] Pipe Roll, 1 Richard I., 112.

[3] Madox's Exch. i. 310.

[4] Le Neve, 276.

RIDEL, GEOFFREY, Archdeacon of Canterbury, Bishop of Ely.

Just. 1165. Just. Angl. 1179.

The family connection, if any, between this Geoffrey Ridel and his namesake, the justiciary of Henry I., is not stated. From the account of one writer, it would appear that he was a younger brother of Eustace Fitz-John, mentioned in that reign[1]; but the authority is not sufficiently distinct to be entirely depended on.

Whatever were his origin, he was one of the chaplains of Henry II., and so much in the royal favour, that, after Becket's elevation to the primacy, he was appointed his successor as archdeacon of Canterbury, about Christmas, 1162, 8 Henry II. He probably continued to be employed at court, for his name stands second (that of Nigel, Bishop of Ely, being the first) of the "assidentes Justiciæ Regis," before whom, in 11 Henry II., 1165, a charter between the abbots of St. Alban's and Westminster was executed in the Exchequer.[2] He took a prominent part in the king's contest with the archbishop, and was sent with John of Oxford, in 1164, to the pope, to obtain his confirmation of the ancient customs and dignities of the realm; and again, in 1169, he was one of the ambassadors to the court of France, with the king's request that Becket, who had withdrawn there, might not be permitted to remain. Both embassies were unsuccessful; but his activity in the king's behalf was not likely to pass unnoticed. The irritated primate included him in the excommunication which he pronounced, in 1169, against several of the bishops and chief men of the kingdom; and in announcing the sentence to the bishop of Hereford, he designated the archdeacon "archidiabolum et Antichristi

[1] Allen's Yorkshire, vi. 154.

[2] Madox's Exch. i. 44.

membrum." On Henry's remonstrance, however, the pope's nuncios found it necessary to absolve him before the end of the year, he being one of those who personally attended the king. Geoffrey's favour at court increased with Becket's oppression, and, accordingly, in the same year, on the death of Nigel, Bishop of Ely, the custody of that see was placed in his hands, and so remained during its vacancy, which lasted about four years. In 1173, the bishoprick itself was given to him; but he was not admitted to it until he had made his solemn protestation, in the chapel of St. Catherine in Westminster, that he had been in no ways knowingly accessary to the murder of the archbishop; an accusation not unnaturally made against him, from the active part he was known to have taken in the king's proceedings. He was then solemnly enthroned; but his consecration did not take place, the see of Canterbury being vacant, until October, 1174.

On the retirement of Richard de Luci, in 1179, Bishop Geoffrey was appointed, with the bishops of Winchester and Norwich, to fill the office of chief justiciary; and on the division of the kingdom by the council of Windsor into four judicial circuits, these prelates were respectively placed at the head of three of them.[1] They were superseded the next year by the appointment of Ranulph de Glanville as sole justiciary. Geoffrey appears, however, to have acted subsequently in court, as he was one of the justiciers before whom a fine was levied in 28 Henry II., 1182.[2]

In the roll of 1 Richard I. his pleas are recorded as a justice itinerant in no less than five counties.[3] As, however, he died on August 21, 1189, in the interval between the death of King Henry and the coronation of King Richard,

[1] Dugdale's Orig. Jurid. 20.; and Chron. Ser.
[2] Pref. to Fines of Richard I. and John.
[3] Pipe Roll, 1 Richard I. 67., &c.

this circuit probably took place during the last months of Henry's reign.

After the coronation of King Richard, which happened within thirteen days of the bishop's death, that monarch, finding that he had died intestate, appropriated to the expenses of the ceremony the treasure he found in his coffers, amounting to 3060 silver marks, and 205 golden ones: no very vast accumulation after ruling so rich a diocese for nearly fifteen years. He had, however, devoted a large sum during his life to the improvement of his cathedral and the erection of the two towers from the foundation.

The cognomen "superbus," which he acquired, is stated to have been given from the arrogance of his disposition and his want of affability.

The history of Ely relates that his tomb was violated, and that his successor, William de Longchamp, on the day of his enthronisation, ascended the pulpit, and, with the other bishops present, excommunicated all those who had committed or consented to the sacrilege.[1]

ROUEN, Archbishop of. *See* Walter de Constantiis.

RUFUS, GUY, Dean of Waltham, Bishop of Bangor.
Just. 1165.

Guy (Guido or Wido), surnamed Rufus, was presented to the church of Swinestead by Robert de Gant, brother of Gilbert, Earl of Lincoln, before the year 1152. Some time afterwards, but before 1165, he became dean of Waltham, in Essex, and was the last who bore that title; King Henry, in 1177, altering King Harold's foundation, by substituting an abbot and twenty regular canons for a dean and eleven seculars.

[1] Godwin de Præsul. 251.; Angl. Sac. i. 631.; Madox's Exch. i. 307.; Hasted's Kent; Lord Lyttelton's Henry II., 362. 506. 517.

So early as 11 Henry II., 1164–5, being then called dean, he is named as one of the justices sitting in the Exchequer; and again, in a subsequent year, soon after Richard de Luci became sole chief justiciary. From the 14 to the 23 Henry II., 1168–1177, he was actively employed as a justice itinerant, his pleas being recorded in at least sixteen counties.

On July 1, 1177, he was consecrated bishop of Bangor, to which see Henry no doubt raised him for the purpose of facilitating the above-mentioned change in the foundation of Waltham. He died about the year 1190, and does not appear to have acted in a judicial character after his elevation to the bishoprick.[1]

RUFUS, RICHARD.

JUST. ITIN. 1180.

RICHARD RUFUS, or Ruffus, was one of the king's chamberlains in 14 Henry II., 1168[2], and held the office during the reign of Richard I., and until his death, about 5 John. It is not therefore unlikely that he should have been employed as a justice itinerant, and his name appears in that character on the roll of 26 Henry II., 1180, for Oxfordshire.[3] But the pleas there accounted for evidently, from their position, are those of a former year; and there seems reason to doubt whether his name has not been erroneously substituted by the transcriber for that of Richard Giffard, who is inserted on the previous roll as justicier for that county, and is omitted on the corresponding entries of this. And this suspicion derives greater weight from the fact, that this is the

[1] Madox's Exch. i. 44. 123. 143. 149. 215. 701.; Dugdale's Monast. (1846), vi. 57.; Browne Willis's Mitred Abbeys; Le Neve, 25.; Paper on the Holy Trinity Priory, York, 37, 38. 311. in Archæol. Proceedings at York, 1846.

[2] Madox's Exch. i. 581. [3] Ibid. i. 137.

only occasion on which Richard Rufus's name is so introduced.

In 1 Richard I. he was custos of the honor of Berkhampstead; and also held the manors of the county of Oxford under the king.[1] The property which King Henry gave him to be held by the service of the chamber, was in Wiltshire, and of considerable amount. He left it between his two nephews, Thomas and Richard Rufus, and his grant to each of them is confirmed by two charters in July, 5 John, 1203, in the latter of which Richard the nephew is described as chamberlain.[2] There was another Richard Rufus, who was Archdeacon of Essex from about 1142 to 1162.

RUFUS, WILLIAM.

JUST. ITIN. 1173. JUST. 1182.

WILLIAM RUFUS, often spelled Ruffus, was one of the sons of Ralph de Rufus, whose father, also Ralph, was a Norman knight in the train of the Conqueror. His mother was the daughter of Asceline de Yvery. He acted as a justice itinerant from the 19 to 26 Henry II., 1173–1180[3], and was one of the justiciers present at Westminster before whom fines were levied in 28 and 35 Henry II., 1182–1189, in the latter of which years he is styled Dapifer Regis.[4] This office is supposed to be the same as seneschall, or steward; but if so, from the number mentioned in this reign, there must have been several at one time, probably holding different grades, with one above them all. He was one of the witnesses to the will which the king executed at Waltham

[1] Pipe Roll, 1 Richard I., 32. 106. 149.
[2] Rot. Chart. John, 107. 109.
[3] Madox's Exch. i. 128. 130. 133. 136. 139. 701.
[4] Pref. to Fines of Richard I. and John.

in 1182.[1] He also held the office of sheriff of Devonshire in 22 & 23 Henry II., and of the united counties of Bedford and Buckingham from 26 Henry II. (with an interruption of a year or two) to 6 Richard I.[2] The honors of Arundel and Petworth, and the lands of William de Curci, Robert de Praeriis, and Hugh de Gundevil, were under his custody in 1 Richard I.[3]

His death would seem to have been a violent one, and to have occurred in 6 or 7 Richard I., for, by the roll of the latter year, the hundred of Redderbrugg in Sussex was fined forty shillings "pro concelamento retatorum de morti Willelmi Ruffi."[4]

His descendants flourished in a long succession under the name of Rous, among whom several distinguished themselves as knights, sheriffs, and members of the legislature; and the family is now lineally represented by Thomas Bates Rous, Esq., of Courtyrala, in Glamorganshire.[5]

ST. AUGUSTINE'S, CANTERBURY, ABBOT OF. *See* CLAREMBALD.

ST. EDMUND'S, ABBOT OF. *See* SAMSON DE TOTINGTON.

ST. QUINTIN, WALTER DE.

JUST. ITIN. 1174.

THE only mention which is made of the name of Walter de St. Quintin, is as one of the justices itinerant fixing the assize or tallage in Dorsetshire and Somersetshire in 20 Henry II., 1174, in conjunction with Alured de Lincoln, the sheriff.[6]

[1] Lord Lyttelton's Henry II., iv. [14.]
[2] Fuller's Worthies, Devon, Bucks.
[3] Pipe Roll, 1 Richard I., 7. 207.
[4] Madox's Exch. i. 544.
[5] Burke's Landed Gentry, art. Rous.
[6] Madox's Exch. i. 123.

SALISBURY, Bishop of. *See* Hubert Walter.

SEFRED, Archdeacon, Dean, and afterwards Bishop of Chichester.

Just. Itin. 1173.

Sefred, who, from being a canon, was appointed Archdeacon, of Chichester, was from 19 to 23 Henry II., 1173–1177, employed as a justice itinerant in the counties of Cambridge, Huntingdon, Essex, Hertford, Norfolk, and Suffolk; many pleas of him and his companions being recorded on the rolls.[1] He was then advanced to the deanery, and appears to have held both dignities in October, 1180, when he was raised to the bishoprick of that see.[2] The cathedral and episcopal palace having been, with great part of the city, destroyed by fire on October 19, 1187, he rebuilt and restored them to their former splendour.

He was present at the coronation of King John on May 27, 1199, and died on March 17, 1204.[3]

SIGILLO, NICHOLAS DE, Archdeacon of Huntingdon.

Just. Itin. 1173.

Among the justices itinerant of this reign, the name of Nicholas occurs three times; and, though distinguished on each occasion by different appellations, it is probable they all belong to the same individual.

First, in 19 Henry II., 1173, "Nicholas de Sigillo et Ricardus Thasaurarius" set the assize on the king's demesnes in Oxfordshire[4]; and as his name is placed before the king's treasurer, it may be presumed he held a high rank.

[1] Ibid. i. 123, 124. 700.
[2] Le Neve, 56. 60. 65.
[3] Godwin de Præsul. 503.
[4] Madox's Exch. i. 701.

Again, in the roll of 20 Henry II., 1174, the assizes set by Nicholas the archdeacon "et socios suos" in Buckinghamshire and Bedfordshire appear[1]; and they are clearly assizes made of a former year, as the new assize for that year is made by other justices. Le Neve says that Nicholas de Sigillo was Archdeacon of Huntingdon as early as 1155.[2] It appears, therefore, by the first of these entries, that it was not always the custom to designate the clerical dignity.

And thirdly, when the kingdom was divided by the council of Windsor in 25 Henry II., 1179, into four districts for judicial purposes, and judges were sent into each, "Nicholaus, Capellanus Regis" was the second of five (the first being Geoffrey, Bishop of Ely) appointed to act in Cambridgeshire and eight other counties.[3] It is not unlikely that the title of king's chaplain may have been considered equal, if not superior, to that of archdeacon; and we have already seen that the latter was not always used.

The official position of Nicholas de Sigillo was no doubt the same as that held under Henry I. by Robert de Sigillo, afterwards Bishop of London. It was called Clericus or Magister Scriptorii, and in the Red Book of the Exchequer is placed next in order to the chancellor, with considerable allowances, which that king increased for Robert de Sigillo to two shillings a day, with one sextary of household wine, one seasoned simnel, one taper, and twenty-four pieces of candle.[4]

In 2 Henry II., 1156, Nicholas de Sigillo accounted for two hawks in Lincolnshire[5], being probably his fine for his archdeaconry, which was in that diocese; and other entries in that and the two following years plainly prove that he was connected with the Exchequer.[6] In 1172,

[1] Madox's Exch. i. 123.
[2] Le Neve, 158.
[3] Dugdale's Chron. Series.
[4] Madox's Exch. i. 195.
[5] Ibid. i. 273.
[6] Pipe Rolls, 2, 3, 4 Henry II., 25. 32. 171. 175., &c.

18 Henry II., Nicholas, the king's chaplain, was sent to assist at the council of the clergy, held at Cassil, in Ireland.[1]

He is mentioned in the first year of the reign of Richard I., 1189[2], but probably died soon after, as the archdeaconry was held by Robert de Hardrel in 1191.

STRANGE, GUY LE.

Just. Itin. 1174.

Guy le Strange (*Extraneus, L'Estrange*), the father of this Guy, and the first of the family who were so called, is believed to have been a younger son of the Duke de Bretagne in the latter part of the Conqueror's reign.

To Guy the son, King Henry II. gave the lordships of Weston and Alvithele in Shropshire, and appointed him sheriff of that county at two periods: the one in the sixth year of his reign, for six years; and the other in the seventeenth year, for nine years.[3] It was in this character that he acted in 20 Henry II., 1174, as justice itinerant for setting the assize or tallage on the king's demesnes there.[4]

He died between 6 Richard I., 1194, and 1 John, 1199, leaving a son, named Ralph, and three daughters, who, upon their brother's death without issue, became heirs of the property.

Guy had two brothers, Hamon and John: the former of whom died without issue; and the latter was grandfather of Roger le Strange, of Ellesmere, who was a justice itinerant in the reign of Edward I.[5]

[1] Brady's England, 360.
[2] Pipe Roll, 1 Richard I., 200.
[3] Fuller's Worthies.
[4] Madox's Exch. i 124.
[5] Dugdale's Baronage, i. 663.; Nicolas's Synopsis of the Peerage.

STUTEVILLE, ROBERT DE.

JUST. ITIN. 1170.

A NORMAN noble of this name, surnamed Grandeboef, or Fronteboef, after the death of the two Williams, joined the fortunes of Robert, the eldest son of the Conqueror, against his younger brother, Henry; and, being captured at the disastrous battle of Tenchebray, in 1106, shared his prince's fate, and was imprisoned for life. His son, Robert de Stuteville, was one of the valiant northern barons who distinguished themselves in the Battle of the Standard, fought against the Scots in August, 1138.

Robert de Stuteville was employed in 16 Henry II., 1170, as justice itinerant in the counties of Cumberland and Northumberland, in conjunction with Hugh de Moreville, and acted alone in the same capacity in the following year.[1] He was then likewise Sheriff of Yorkshire, an office which he retained for a few years afterwards; and was succeeded in it by Ranulph de Glanville. In 1175 he had an allowance for the sums he had expended for the knights and sergeants, horse and foot, which he had with him in the king's service in the war[2]; having in the previous year assisted Ranulph de Glanville at the battle near Alnwick, where the Scottish army was routed, and William, their king, taken prisoner.

Dugdale attributes these facts to Robert, the son, and even carries him down to 23 Henry II., 1177, as a witness to the arbitrament between the kings of Castile and Navarre. He makes him the father of another Robert, his successor, of whom he relates no events, but that he gave certain lands to the monks of Rievaulx, and that he married twice. Now, seeing that the first Robert was imprisoned for life in 1106; — that the battle in which the next Robert distinguished himself

[1] Madox's Exch. i 144 146. [2] Ibid. i. 370. 702., ii. 157. 200.

was in 1138, when he may be supposed to have been between forty and fifty years of age; — that the third battle was in 1174, when, if it were the same person he must have been between eighty and ninety; — it seems not improbable that Dugdale has confounded the incidents of two lives. This is rendered more likely from his omission of all dates with regard to the third Robert; and from the fact that he places William, the third Robert's successor, in the prominent situation of governor of Topclive Castle, in Yorkshire, so early as the 20 Henry II., 1174; a date previous to the assigned termination of the second Robert's career. For these reasons it seems more correct to make the justice itinerant the third, and not the second baron.

The second baron married Erneburga, and besides the third Robert, had another son, named Osmund. The third Robert married two wives: by the first, Helewise, he had one son, the before-mentioned William (who will be noticed as a justice itinerant in the next reign), and two daughters; by the second, Sibilla, sister of Philip de Valoines, he had one son, named Eustace. One or other of these two Roberts, and I think the last, founded two monasteries for nuns; one at Rossedale, the other at Keldholme, in Yorkshire; besides making several rich benefactions to Rievaulx Abbey, and to the monks of St. Mary's, in York.[1]

TOCLIFF, RICHARD, Archdeacon of Poictiers, Bishop of Winchester.

Just. 1165. Just. Angl. 1179.

Richard Tocliff, who is called by some Richard More, and by others Richard of Ilchester, was, according to Ralph de Diceto, born at Soc, in the diocese of Bath. Brought up

[1] Dugdale's Baronage, i. 455.

to the clerical profession, he at an early period of his life obtained an inferior situation in the king's court, where it was his duty to make copies of all the summonses issued from it, and to write the writs and the entries on the rolls. In this office he showed so much diligence and care, and his ability and industry were so prominent, that he was gradually advanced, until at last a place was assigned to him in the Exchequer on the right hand of the chief justicier, in order that he might be next to the treasurer, assist in the accounts, and carefully superintend the writer of the roll.[1] Thus he was regularly present in the court at its sittings, and at length assisting in its deliberations, became one of the justiciers. Under this character he is named with several others as sitting in the Exchequer in 11 Henry II., 1165[2], and in a subsequent year. He is then called Archdeacon of Poictiers, to which preferment he had been advanced. That the position he held in the Curia Regis was a very high one, is evident from his always being named first in the pleas of the several counties in which he acted as a justice itinerant, from 14 Henry II. until the 20th year of that reign, 1174.[3]

The roll of 23 Henry II. also mentions pleas before him under the name of Richard, Archdeacon of Poictiers[4]; but it has reference to arrears due on pleas of former years. This is evident not only from the mode of entry, which refers to subsequent pleas of other years before different judges; but also because he was in 20 Henry II. raised to the episcopal bench, being consecrated Bishop of Winchester on October 6, 1174. Of this see, as well as that of Lincoln and also of the abbey of Glastonbury, he had been the custos while they were in the king's hands.

King Henry during his contest with Becket, having employed him in an embassy to the pope in 1165, with John of

[1] Dialogus de Scaccario; Madox, ii. 362.
[2] Madox's Exch. i. 44.
[3] Ibid. i. 123. 143, 144, 145. 149.
[4] Ibid. i. 129.

Oxford, they went by the way of Wurzburgh, where they attended a diet assembled for the solemn acknowledgment of the anti-pope, Pascal III. They were charged with having there sworn that the king should take the same side; and their denial did not prevent Becket from excommunicating both. In 1174, soon after his election to the bishoprick, he was the chosen emissary of Richard de Luci to the king in Normandy to represent to him the dangerous state of the kingdom and the necessity of his immediate presence; which resulted in the quick suppression of the rebellion.

In 1176 he was appointed chief justiciary of Normandy; and on the retirement of Richard de Luci in 1179, the same high office in England was entrusted to him jointly with the Bishops of Ely and Norwich; and they were respectively placed at the head of three of the four circuits into which England was then divided by the council of Windsor.[1] Ranulph de Glanville succeeded them in the following year, in consequence, as some state, of a remonstrance from the pope disapproving of ecclesiastics being so employed. That he acted, however, after this in the judicial business of the court, is evident from his name appearing as one of the justiciers before whom fines where levied in 28 Henry II., 1182.[2]

To his see he gave the manors of Hamm and Groel; and after presiding over it above fourteen years, he died in December, 1188, and was buried in his cathedral.[3]

TORELL, WILLIAM.

Just. 1182.

That William Torell held some office in the court so early as 4 Henry II., 1158, appears from his being then excused

[1] Dugdale's Orig. Jurid. 20.; and Chron. Series.

[2] Pref. to Fines of Richard I. and John.

[3] Godwin de Præsul. 216.; Lord Lyttelton's Henry II., ii. 416. 434., iii. 138.

the donum on his property in Herefordshire in the same manner that others resident at the Exchequer were relieved.[1] His name occurs in two fines of 28 Henry II., 1182, and in another supposed to be about the same year, as one of the persons before whom they were acknowledged in the Curia Regis at Westminster.[2] He is not, however, named on any other occasion with a judicial character. It may be possible, therefore, that he was not a justicier, as in this early period of the adoption of fines it is not unlikely that the officer who filled up the instrument may have thought it necessary to insert the names of all who were present, whether attending judicially or officially.

His position was certainly a prominent one, since the sheriffalty at the two counties of Gloucester and Hereford was entrusted to him, in conjunction with Miles de Mucegros, in 29 Henry II., and to him alone in the following year.[3]

Yeovil and Odecumb, in Somersetshire, belonged to him, and by the great roll of 1 Richard I., it appears that he died about that time.[4]

There was another William Torell, perhaps his son, who in 9 John gave forty marks to have the office of the king's napery.[5]

TOTINGTON, SAMSON DE, ABBOT OF ST. EDMUND'S BURY.

JUST. ITIN. 118.

NEITHER Dugdale nor Madox introduce this abbot into their lists of justices itinerant; but he is expressly stated to have filled that office by Joceline de Brakelonda, who was

[1] Pipe Rolls, 2, 3, 4 Henry II., 144.
[2] Hunter's Pref. to Fines of Richard I. and John, p. xxi.
[3] Fuller's Worthies. [4] Pipe Roll, 1 Richard I., 147. 149. 154. &c.
[5] Madox's Exch. i. 461.

his chaplain, and may be called his biographer. His words are, (and he no doubt means to be humorous when he uses them), "factus est justiciarius errans, sed ab errore et devio se custodiens." The precise date is not mentioned; but in the arrangement of the chronicle the fact occurs between 1182 and 1187. In the Monasticon it is asserted that he was made one of the king's justiciaries in 6 Richard I., but no authority is cited, nor is there any other evidence of the fact.

Samson de Totington was so called from a place of that name in the hundred of Weyland in Norfolk, of which he was a native.[1] He became a monk in the abbey of St. Edmund's in 1166; and in process of time was appointed master of the novices, and afterwards sub-sacrist. At the death of Abbot Hugo, a curious mode of electing his successor was adopted. The king having summoned the prior and twelve of the monks to Waltham for that purpose, Samson recommended that, in order to prevent disagreement, the six seniors of the convent should, before their departure, select three whom they considered best fitted for the office; and should seal up their names in a packet which was not to be opened until the king gave the deputation liberty to choose. On their arrival at Waltham, the king having granted them that permission, the three names mentioned in the packet were produced, of whom Samson was found to be one; but none of the higher dignitaries were among them. The king declared that he knew none of these [2], and desired the monks to name three others of their convent; when the prior, the sacristan, and another were offered. To these were added, by the king's command, three more from other houses. Nine persons being thus nominated, the king directed them to strike out three, when they immediately removed the three

[1] His surname is sometimes erroneously written Botington.

[2] This would prove that Samson had never been, as is stated by some, the confessor of Henry II.

foreigners from the list. The sacristan next withdrew his own name, and two more were then removed from the remaining five; then one from the three, leaving at last only the prior and Samson. When called upon to say which of these they preferred, they after a little complimentary hesitation fixed on Samson, who thereupon was accepted by the king. The wisdom of the choice was soon apparent. By his prudence and energy the affairs of the convent were extricated in a short time from the disorder into which the weakness and indolence of his predecessor had plunged them.

He repaired the dilapidated buildings, visited his manors, and cleared off the debt which pressed on the revenue. He repressed the irregularities of the monks; successfully resisted the encroachments of the knights and towns-people; stood up in every way for the rights of his house, whether against prince or peer; and yet found favour in the sight of his sovereign. In a short time after his election the pope appointed him a judge "*de causis cognoscendis*," and not long afterwards he was constituted by the king one of the justices itinerant. Joceline dwells with pride on the admiration which his judicial powers excited; and relates that one of the suitors cursed his court, where, he complained, neither gold nor silver would avail to confound his adversary. Osbert Fitz-Hervey (himself a judge) said, "That abbot is a shrewd fellow; if he go on as he begins, he will cut out every lawyer of us."

In 1188, he was desirous of joining those who had assumed the cross; but King Henry found him so useful in the kingdom, that he would not permit his departure. The fall of Jerusalem afflicted him so heavily, that he put on hair garments, and abstained from flesh during the rest of his life. In the year 1190, he procured the banishment of the Jews from St. Edmund's Bury.

During King Richard's absence, he supported the royal

authority against Prince John; and when Richard was detained in Germany, he offered to go in search of him, and actually, when his prison was discovered, went to him with rich gifts.

He obtained many privileges for his house from Popes Lucius III., Urban III., and Clement III., and illustrated his rule by founding the hospital of Babwell, or St. Saviour's; repurchasing from the crown the manor of Mildenhall for a thousand marks, and building the schools of St. Edmund's Bury. He presented many valuable ornaments to the convent, and covered the roofs of several chapels with lead; besides rebuilding the great altar, and repairing and beautifying the shrine itself, which had been damaged by fire. Little is mentioned of his proceedings in the reign of King John, except that he received that monarch at the abbey soon after his coronation, and again in 1203. His death occurred on the night after the feast of St. Thomas the Martyr, December 30, 1211.[1]

TOTNESS, Archdeacon of. *See* William.

VAVASOUR, WILLIAM.

Just. Itin. 1187.

See under the Reign of Richard I.

VAUX, ROBERT DE.

Just. Itin. 1176.

Robert de Vaux, or de Vallibus, was the son of Hubert de Vaux, to whom Ranulph de Meschines granted the barony of Gillesland, in Cumberland; and of Græcia his wife.[2] In 19 Henry II., 1173, he was governor of the castle of Car-

[1] Chronica Jocelini de Brakelonda (Camden Soc.), *passim*; Dugdale's Monasticon (1846), iii. 104.

[2] Dugdale's Baronage, i. 525.

lisle, with an allowance on the roll of that year of 20*l.* for the knights he kept there for its defence.[1] William, King of Scots, in 1174, having laid siege to it, he made so brave a defence, that the king was obliged to turn the siege into a blockade. Pressed for provisions, Robert de Vaux agreed to surrender, if he was not relieved by Michaelmas; but before that period, the Scottish king was by the gallantry of Ranulph de Glanville defeated and taken prisoner before Alnwick.[2] He also held the sheriffalty of that county from 21 to 30 Henry II.[3]: and during some of those years, viz. from 22 to 26 Henry II., he acted as one of the justices itinerant for the northern counties, in conjunction with Ranulph de Glanville and Robert Pikenot, having been selected for that duty when the council of Northampton made the judicial division of the kingdom in 1176.[4]

There is an entry on the Pipe Roll of 1 Richard I. of a fine of one hundred marks which he incurred for allowing certain prisoners to escape out of his custody, and for permitting, during his sheriffalty, the currency of the old coin after it had been prohibited.[5]

He married Ada, the daughter and heir of William de Engaine; and afterwards had a second wife, named Alice. He founded the priory of Lanercost, in Cumberland[6], and gave the church of Helton to the canons of Carlisle. His death occurred just before or just after the accession of King John, his lands being in the third year of that reign in the custody of the archbishop of Canterbury.[7]

He had two sons, Robert and Ranulph, who in turn succeeded him; but Hubert, the grandson of the latter, leaving

[1] Madox's Exch. ii. 205.
[2] Lord Lyttelton's Henry II., iii. 134. [3] Fuller's Worthies.
[4] Dugdale's Chron. Series; Madox's Exch. i. 130—138.
[5] Pipe Roll, 1 Richard I., 137. [6] Dugdale's Monast. (1846), vi. 228.
[7] Rot. Cancell. 3 John, 71

only a daughter, Maud, she carried the barony of Gillesland to her husband, Thomas de Muleton[1], the son of the justicier in the reign of Henry III.

VERDUN, BERTRAM DE.

Justr. 1175.

BERTRAM DE VERDUN was a powerful baron, who signalised himself both in a civil and military capacity; acting as a judge and counsellor under Henry II., and doing his devoir as a soldier under his lion-hearted successor, Richard.

His grandfather, of the same name, was of French extraction, probably coming over with the Conqueror; as in his time he was possessed of Farnham-Royal, in Buckinghamshire, which he held by the service of providing a glove, on the day of the king's coronation, for his right hand, and of supporting his right arm while he held the royal sceptre. This service is now attached to the lord of the manor of Worksop, in Nottinghamshire, that estate having been granted by letters patent of King Henry VIII., dated November 26, 1541, to Francis, Earl of Shrewsbury, then the proprietor of Farnham-Royal, in exchange for the latter, and upon the same tenure.

His father was Norman de Verdun, who possessed Lutterworth, in Leicestershire, and in right of his wife, Luceline, the daughter of Geoffrey de Clinton, chamberlain to Henry I., acquired the lordship of Brandon, in Warwickshire.

When Bertram de Verdun came into the possession of his property does not appear; but from his stating in the charter to Croxton Abbey that he was brought up by the constable, Richard de Humez, he was evidently a minor on the death

[1] Nicolas's Synopsis.

of his father. He is noticed as holding his principal seat in Staffordshire, in 12 Henry II., 1166, and as having been sheriff or fermer of the counties of Warwick and Leicester from the 15th to the 30th years of that reign, residing probably then at his castle at Brandon.

In 18 Henry II., a quarrel occurred between him and his people and those of the Earl of Leicester, when the Earl was fined two hundred marks for the breach of the peace.[1]

In 1175, 21 Henry II., and the three following years, he was regularly present as a baron in the judicial proceedings of the Curia Regis; and from the 22d to the 26th of the reign, and probably later, he acted as a justice itinerant in the counties of Hereford, Worcester, Salop, Gloucester, York, Lincoln, Northampton, and Stafford.[2] There are some entries of his pleas on the roll of Richard I.[3], but they are clearly arrears of former years.

In 31 Henry II., 1185, the honor of Chester was placed in his custody during the minority of Ranulph, son of Hugh de Cyvelioc, Earl of Chester; and the wardship of Stephen de Bellocampo was also given to him in 1 Richard I., 1189, on the payment of a fine of two hundred marks.[4]

These employments show, not only that he enjoyed the confidence of his sovereign, but also that his talents were of a superior order. The remainder of his career was devoted to his attendance on King Richard in his expedition to the Holy Land, whither he accompanied him in the second year of his reign. In the agreement between the kings of England and Sicily, he was one of the sureties for its due performance on the part of Richard; who committed Acon, on its being taken, to his custody. Two years afterwards, in 1192, he died at Joppa, and was buried at Acon.

His religious benefactions were numerous. In 1176 he

[1] Madox's Exch. i. 430. [2] Ibid. i. 94. 103. 127. 129. 132. 135. 137.
[3] Pipe Roll, 1 Richard I., 164. [4] Madox's Exch. ii. 228.

founded the abbey of Croxden, in Staffordshire, for Cistercian monks, endowing it with the church at Alveton in that county, where he had a castle, and with other lands and revenues. He bestowed the church of Bosworth, and two hides of land there, on the monks of York; and besides others, he confirmed the grant made by his mother, of the church of Hethe, in Oxfordshire, to the canons of Kenilworth.

Bertram de Verdun was twice married. His first wife was Maud, daughter of Robert de Ferrers, Earl of Derby, by whom he had no issue. By his second wife, Rohese (who survived him), he had two sons, Thomas and Nicholas, who in turn succeeded him; the former dying in 1199 without issue, and the latter in 1231, 15 Henry III., leaving one daughter, Rohese. She married Theobald de Botiller, of the noble family of that name in Ireland, but retained her own surname. Their son, John de Verdun, will be noticed as a justice itinerant under Henry III.[1]

WALTER, HUBERT, Dean of York; afterwards Bishop of Salisbury and Archbishop of Canterbury.

Just. 1185.

See under the Reigns of Richard I. and John.

WALTHAM, Dean of. *See* Guy Rufus.

WARENNE, REGINALD DE.

Just. Itin. 1168.

Reginald de Warenne was a grandson of William, Earl Warenne, in Normandy, and Earl of Surrey, who has been noticed under the reign of William I. His father, William, succeeded to both earldoms, and died in 1136, leaving by

[1] Dugdale's Baronage, i. 471.; Dugdale's Monast. (1846), v. 660.

his wife Elizabeth, daughter of Hugh the Great, Earl of Vermandois, and widow of Robert, Earl of Mellent, three sons: William, who succeeded to his honors; this Reginald, and Ralph; and two daughters, Gundred, wife to Roger, Earl of Warwick; and Adeline, married to Henry, son of David, King of Scotland.

Reginald de Warenne was appointed by the convention between King Stephen and Henry, Duke of Normandy (to which he was one of the witnesses), to have the custody of the castles of Bellencumbre and Mortimer, in Normandy. Under Henry II. he became an attendant at the court, and his name appears as the first of the witnesses to a concord at the Exchequer soon after Richard de Luci was made sole chief justiciary.[1] He naturally took the part of the king in the contest with Becket, but his devotion to the cause was somewhat too violent, if it be true that he threatened to cut off the archbishop's head when he landed in England. But although he joined Gervase de Cornhill, the sheriff of Kent, in appearing on the shore of Sandwich on that occasion, the intervention of John of Oxford prevented any mischief.

From the 14th to the 23d Henry II., 1168—1177, he was regularly employed as a justice itinerant, his pleas appearing in twenty-one counties.[2] He was also Sheriff of Sussex for seven years, ending 23 Henry II.[3]

By his marriage with Alice, the daughter and heir of Robert de Wirmgay, in Norfolk, he became possessed of that barony. He died probably soon after 23 Henry II., and certainly before 31 Henry II.; as his son, William (who will be found as a justicier under King John), in that year paid the scutage on the lordship.[4]

[1] Madox's Exch. i. 215.
[2] Ibid. i. 123. 132. 143, 144, 145. 149.
[3] Fuller's Worthies.
[4] Dugdale's Baronage, i. 83.; Lord Lyttelton's Henry II., i. 542., ii. 583.

WARNEVILLE, RALPH DE, Treasurer of York.

Chancellor, 1173.

Roger de Wendover states that Ralph de Warneville, sacrist of Rouen, and Treasurer of York, was constituted chancellor of England in the year 1173; and Matthew Paris repeats the account in the same words; but neither of them say whom he succeeded in the office, nor how long he retained it. Le Neve inserts him among the treasurers of York on the authority of a similar passage in Matthew of Westminster, and places Richard Pudsey next in the list, on whom he says the treasurership was conferred by the king in 1189. Ralph de Diceto is the only author who makes any addition to this announcement. He describes Ralph de Warneville as not altering in his advancement the simple course of living which he had adopted in his private life; and adds that he committed his duties in the Curia Regis to Walter de Constantiis, a canon of Rouen.

There are two charters in the Monasticon bearing his attestation as chancellor; both dated at "Juliam Bonam" (Lillebonne), but with nothing to indicate the year in which they were granted.[1] He probably held the seals till the appointment of Geoffrey Plantagenet, the king's illegitimate son, in 1181.[2]

WILLIAM, Archdeacon of Totness.

Just. 1189.

Le Neve does not insert William as Archdeacon of Totness in his list. His name, however, with that dignity occurs as one of the justiciers present in the Curia Regis at West-

[1] Dugdale's Monast. (1846), vi. 1067. 1106.

[2] Roger de Wendover, ii. 370.; Decem Scriptores; R. de Diceto, Coll. 567. Le Neve, 319.

minster, before whom a fine was levied in the last year of Henry's reign, 1189.

WILTON, RICHARD DE.

JUST. ITIN. 1173.

RICHARD DE WILTON was sheriff of Wiltshire from 10 to 27 Henry II. In the 19th year of that reign, 1173, he sat the assize as one of the justices itinerant in Devonshire; and in the following year in his own county.[1]

WIMER THE CHAPLAIN.

JUST. ITIN. 1173.

WIMER is called "the Chaplain" in every place where his name occurs, no doubt as filling that office in the king's court. He held the sheriffalty of Norfolk and Suffolk in conjunction with Bartholomew Glanville and William Bardolf for six years, commencing 16 Henry II., 1170; and for eleven years and a half afterwards he was sole sheriff or fermor of those counties.[2] He is mentioned in the Chronicle of Joceline de Brakelonda as being present as sheriff at the inauguration of Samson to the abbacy of St. Edmund's in 1182.[3] In the 1st year of Richard I. he paid a fine of two hundred marks for his quittance from that sheriffalty and from all complaints against him and his serjeants during the time he had held it[4]: offered probably by the sheriff as an easy discharge of long-continued accounts, and received by the king as a convenient addition to his funds for the crusade

His name occurs once only as a justice itinerant, in 19 Henry II., 1173, when he and three others assessed the

[1] Fuller's Worthies, Wilts; Madox's Exch. i. 123. 701.
[2] Fuller's Worthies.
[3] Chronica de Brakelonda, 19.
[4] Pipe Roll, 1 Richard I., 44.

tallage on the king's demesnes in Essex and Hertfordshire.[1] In the same year, also, he accounted for the abbey of Hulme, then vacant and in the king's hands.[2]

Possibly he may be the same with *Winemerus*, mentioned in Le Neve as subdean of Lincoln in 1185, and Archdeacon of Northampton in 1195.[3]

WINCHESTER, Bishops of. *See* R. Tocliff, G. de Luci.

WISEBEC, REGINALD DE.

Just. Itin. 1179.

The list of justices itinerant named by King Henry II. at the council held at Windsor in the twenty-fifth year of his reign, when he divided the kingdom into four parts for judicial circuits, contained many who were in holy orders; several of whom had not, as far as can be traced, been previously employed as judges of the court. Among these was Reginald de Wisebec[4], so called probably, as was the common custom with the clergy particularly, from having been born at Wisbeach. He was one of the king's chaplains, and no doubt was selected on that account. He does not appear to have acted in any subsequent year.

WITEFELD, ROBERT DE.

Just. Itin. 1179. Just. 1184.

See under the Reign of Richard I.

YORK, Archbishop of. *See* Geoffrey Plantagenet.
YORK, Dean of. *See* Hubert Walter.
YORK, Treasurer of. *See* Ralph de Warneville.

[1] Madox's Exch. i. 701.
[2] Le Neve, 153. 161.
[3] Ibid. i. 308.
[4] Dugdale's Chron. Series.

RICHARD I.

Reigned 9 years, 7 months, and 3 days; from September 3, 1189, to April 6, 1199.

SURVEY OF THE REIGN.

THE interval which elapsed between July 6, 1189, the date of the death of Henry II., and September 3, the day of Richard's coronation, may be considered as a sort of interregnum; inasmuch as, during that period, Richard called himself LORD, and not KING, of England [1]; and as his regnal years commence from the latter date.[2]

Although the usage of preserving a regular written record of judicial proceedings was certainly practised in England in the time of Henry II., the rolls of that reign are not extant; and Sir Francis Palgrave, the learned editor of the "Rotuli Curiæ Regis" of the reigns of Richard I. and John, published under the direction of the Commissioners of Public Records, suggests the probability that all the earlier records were cast aside either from neglect or design, when it was declared by statute 1 West. c. 39., 3 Edw. I., that legal memory did not extend beyond the first year of Richard's reign.[3] These "Rotuli," commencing 6 Richard I., are the earliest consecutive judicial records now existing; and they fully establish the correctness with which the proceedings are described in Glanville's work.

[1] Archæol. xxvii. 112.
[2] Sir Harris Nicolas's Chronology of History, 284.
[3] Rot. Curiæ Regis, Introduction.

The sittings of the court were usually at Westminster, but, from the seventh to the last year of the reign, fines were also levied before the king's justices at various places during their itinera; always, however, described as being in the king's court. The king himself was sometimes present, and was then specially named on the record.[1]

The Record Commissioners have published two volumes of fines in the reigns of Richard I. and John, comprehending nine counties in alphabetical order, from Bedford to Dorset; and forming, as far as they go, a most useful and interesting work, the value of which is greatly enhanced by an able preface from the pen of its learned editor, the Rev. Joseph Hunter. A continuance of the publication, carried on through succeeding reigns, or rather, perhaps, a careful selection, would throw much light on the disputed question relative to the division of the courts; and at all events would supply an authentic source, from which a regular list of the judges might be formed.

The business of the Chancery, which had as yet no decidedly judicial character, had hitherto been always transacted in the Curia Regis, or rather in that department of it called the Exchequer. At the latter part of this reign, and probably on account of the removal of Longchamp from the presidency of the court, it appears likely that the duties of the chancellor were performed in a different place; inasmuch as from that time there are distinct annual rolls of the Chancery, of which there are no previous traces. These rolls consist of the charter rolls, patent rolls, fine rolls, and close rolls, which were regularly estreated and certified into the Exchequer, and which form a curious and instructive record of the proceedings of the time.

There were only two chancellors under King Richard: for

[1] Dugdale's Orig. Jurid. 92.

though Geoffrey Plantagenet has the title of chancellor in the great roll of the first year of the reign, the entries evidently refer only to some exemptions arising by virtue of his office in the previous year.[1] At the time of Henry the Second's death, Geoffrey was abroad, and there is not only no proof that he acted as chancellor after that event, but it is certain that in the interval between it and Richard's coronation, and before the latter assumed the title of *King* of England, William de Longchamp filled the office. This is evidenced by a charter to Gerard de Camville, granted by Richard at Barfleur, while on his progress to England to be crowned, in which he styled himself only "*Dominus* Angliæ," and which was given under the hand of Longchamp with the addition of "Cancellarii mei."[2]

At the coronation, on September 3, 1189, there is no doubt that WILLIAM DE LONGCHAMP was fully invested with the office; for there is a charter to the abbey of Vaudey in Lincolnshire, dated only four days after that ceremony, and authenticated by him as chancellor. It is remarkable that the designation "Cancellarii mei," used before Richard was crowned, is here changed to "Cancellarii nostri"[3]; and I believe it is the first instance of our kings using the plural pronoun. In less than a fortnight he was elected Bishop of Ely, and before the end of the year he was associated with the Bishop of Durham in the office of chief justiciary and regent of the kingdom during the king's absence; still retaining the great seal.

When Richard left England, in December, 1189, and went to Normandy for the purpose of preparing for his expedition to the Holy Land, he took a seal with him under the care of an officer who was called Vice-Chancellor in the charters to which his name was subscribed. He no doubt left another

[1] Pipe Roll, 1 Richard I., 37. 110.
[2] Archæol. xxvii. 112.
[3] Dugdale's Monast. (1846), v. 491.

in the hands of the chancellor in England for the ordinary business of the realm, although there is no record of the fact. In future reigns, however, it will be seen that there are frequent entries with regard to these two seals; but the practice of recording upon the rolls the various deliveries of them had not yet commenced.

The first vice-chancellor in the time of Longchamp was JOHN DE ALENÇON, Archdeacon of Lisieux; and there are six charters subscribed by him with that title. They were all granted in Normandy, and are dated respectively in the months of January, March, June, and July, 1190.[1] Longchamp, who was during part of this period with the king, occasionally authenticated the charters also.[2]

At the end of the latter month, Richard and the King of France proceeded to Messina; at which place two charters are dated on March 27 and April 3, 1191, both under the hand of "Master ROGER MALUS CATULUS, our clerk."[3] The title of vice-chancellor is not added; but Hoveden so calls him, and relates his lamentable shipwreck in the following month off the island of Cyprus. The great seal, which it seems was suspended round his neck, was lost with him; an accident of which the king afterwards took advantage by ordering all charters to be resealed, and replenishing his coffers with the fines.[4]

In the following October, Longchamp was ousted from the regency, and was obliged to withdraw from the kingdom. He was of course deprived at the same time of the great seal, which appears, according to Hoveden, to have been entrusted by Prince John and the opposing barons to one Master BENET; for we find that Longchamp shortly afterwards excommunicated him by name, "because he presumed to

[1] Rymer's Fœdera, new ed. i. 48. 51.; Dugdale's Monast. i. 485., vi. 1115.
[2] Ibid. i. 485., vi. 1111.; Rymer's Fœd. i. 51.
[3] Ibid. i. 53.; Dugdale's Monast. v. 565. [4] Madox's Exch. i. 77.

hold the king's seal, contrary to the statutes of the king and the kingdom and his own prohibition."[1]

No charter, however, exists with Master Benet's name; nor indeed can I find any record at all connected with the great seal dated between April 3, 1191, and July 7, 1193, when Longchamp signed the treaty of peace between England and France as chancellor.[2] In the following year several charters occur with his name[3]; and one on April 11, 1195, to be presently mentioned; but none afterwards, although I conceive that he continued chancellor till his death.

In that year, 1195, another vice-chancellor appears; viz. EUSTACE, then Dean of Salisbury, whose authentication is subscribed to a charter granted on April 7, "apud insulam Andeliaci," with the addition to his name of "gerentis vices Cancellarii"[4]; and to another, the above-mentioned charter of April 11, 1195, *without that addition*, but to which Longchamp's name is added as a witness with the title of chancellor.[5]

Longchamp died on January 31, 1197; but it seems that another chancellor was not immediately appointed, and that the duty was performed for some time by Eustace, as vice-chancellor. Two charters, dated respectively July 14 and October 17 in that year, are authenticated by Eustace; in the former of which, granted "apud insulam Andeliacum," he is described as "Vices Cancellarii tunc agentis"[6]: and in

[1] Madox's Exch. i. 77.; Lord Campbell (i. 112.) says that the office of chancellor was at this time restored to Geoffrey Plantagenet, then Archbishop of York, and that he held it till Richard's return: but he does not give, nor can I find, any authority for the assertion.

[2] Rymer's Fœd. i. 61.

[3] Ibid. i. 63.

[4] Ibid. i. 65.

[5] Dugdale's Monast. iv. 393.

[6] Rymer's Fœd. i. 67.; Maitland also, in his History of London (*56.*), gives this charter, and curiously translates the description thus: "Vice-Chancellor, *then agent* at the Isle of Audlyer."

the latter, dated at Rouen, he is also called "Elect of Ely,"[1] having in the interim been appointed Longchamp's successor in that bishoprick, but not being yet consecrated.

The precise period of his elevation to the chancellorship is uncertain; but it must have been between the latter date and August 22, 1198, on which day his name appears with that title to a charter, dated "apud Rupem Auree Vall."[2] It is probable, however, that his appointment took place at the early part of that year; because, by a charter dated on February 28, it appears that a new vice-chancellor then performed the functions in which Eustace had been previously employed. This charter is given under the hand of Master WARINE, Prior of Loches, "tunc gerentis vicem Cancellarii."[3] No other charter appears with his authentication.

Eustace continued chancellor till the end of the reign; but I can find no other charter with his name.

Still, however, there was another vice-chancellor, whose name has not yet been mentioned in any list hitherto published. This was Master ROCELINE, under whose hand three charters were given, dated respectively, November 11, and December 9, 1198, and February 3, 1199[4], two months before the death of the king.

It thus appears, without reckoning Master Benet, who may be considered in some degree as an usurper, that there were five vice-chancellors during this short reign: and the question naturally arises, what was their real position? It is to be noted that not one of them authenticates a charter dated in England; showing, therefore, that they only acted when the king was abroad: and it further appears that the English chancellor, when he was with the king in Normandy, subscribed such charters as were granted during his visit: or, as in the case of the charter dated April 11, 1195, signed

[1] Rymer's Fœd. i. 69.
[2] Ibid. i. 67.
[3] Neustria Pia, 897.
[4] Dugdale's Monast. v. 372. 456. 625

as a witness, while the formal authentication was made by the deputy.

It is remarkable, also, that John de Alençon, the first of those named, is the only one who is formally designated vice-chancellor in the instrument itself; that this title is afterwards qualified by the use of the words "tunc gerentis," or "tunc agentis vicem Cancellarii;" that even these words are omitted when the chancellor is present; and that Roger Malus Catulus is simply called "our clerk." It will be seen, also, that every one of them was an ecclesiastic, and that some of them obtained dignities in the church.

From all these facts I am inclined to draw a conclusion that they were clerks (or, as they are now called, masters) of the Chancery, selected to accompany the king on his different progresses, with the title of vice-chancellor, as being well acquainted with the forms of proceeding, and capable of preparing the necessary documents. The rolls of this reign do not afford evidence so abundant to support this view as will be found in those of King John, when the subject will receive a more detailed examination.

Neither the chancellors nor their deputies appear to have acted during this reign as justices itinerant: but both Longchamp, Bishop of Ely, and his successor Eustace are recorded as having sat as chancellors in the Curia Regis when fines were levied there.

The dignity of the office received a further accession by its conjunction with that of chief justiciary in the person of William de Longchamp. Having in the latter little more than a nominal associate, the extraordinary magnificence which he exhibited, and the overbearing power which he exercised, would be naturally attributed to his being the sole holder of the great seal; especially as he continued to retain the office of chancellor after the return of King Richard, although he was not restored to that of chief justiciary.

The chief justiciary at the death of Henry II. was RANULPH DE GLANVILLE; and there is satisfactory evidence that he continued to occupy that post in the interval that elapsed before the arrival of Richard in England, and that he attended the new king's coronation in that character. In the great roll of the first year of the reign, his pleas are recorded in several counties, and though some of them were no doubt of a prior date, others are evidently of that year. He had little time, however, to do much, as, whether he resigned or was deprived of his office, it is certain that his successors were appointed at the council of Pipewell, which was held on September 15, within a fortnight of Richard's coronation.

Those successors were HUGH PUSAR, Bishop of Durham, and WILLIAM DE MANDEVILLE, Earl of Albemarle.[1] The earl died within two months; when King Richard put in his place his favorite, WILLIAM DE LONGCHAMP, Bishop of Ely[2], who thus occupied at the same time the two important offices of chancellor and joint chief justiciary. He was not long in getting possession of undivided authority, by superseding his weaker colleague.

Longchamp's arbitrary rule enabled Prince John to further his own ambitious views, by procuring his disgrace and banishment, in October, 1191; when WALTER DE CONSTANTIIS, Archbishop of Rouen, was placed at the head of the regency, and acted as chief justiciary till the return of King Richard from his captivity, in September, 1193.

HUBERT WALTER, Archbishop of Canterbury, was then appointed, and retained the office for nearly five years:

[1] The following were associated with them in the government: William Mareschall, Geoffrey Fitz-Peter, William Briwer, Robert de Witefeld, and Roger Fitz-Reinfrid.

[2] They had the same associates, except that Hugh Bardolf was substituted for the two last.

when, the pope interfering, he was compelled to resign, and was replaced by

GEOFFREY FITZ-PETER, afterwards Earl of Essex, who had for some years acted as a justicier. He was raised to this distinguished position in July, 1198, and continued in it not only during the short remainder of the reign, but till the close of his own life, in October, 1213, 15 John.

TABLE OF CHANCELLORS, VICE-CHANCELLORS, AND CHIEF JUSTICIARIES.

A.R.	A.D.	Chancellors.	Vice-Chancellors.	Chief Justiciaries.
I.	1189, Sept. 3	William de Longchamp, afterwards Bishop of Ely		Ranulph de Glanville.
	15	—		Hugh Pusar, Bishop of Durham, and William de Mandeville, Earl of Albemarle.
	Dec. 11	—		Hugh Pusar, Bishop of Durham, and William de Longchamp, Bishop of Ely.
	1190, Jan.	—	John de Alençon, Archdeacon of Lisieux	—
II.	1191, March	—	Roger Malus Catulus	—
III.	October	—	Benet	Walter de Constantiis, Archbishop of Rouen.
V.	1193, Sept.	—		Hubert Walter, Archbishop of Canterbury.
VI.	1195, April	—	Eustace, Dean of Salisbury, afterwards Bishop of Ely	—
VII.	1197, Jan. 31	died	—	—
VIII.	1198, Feb (?)	Eustace, Bishop of Ely		
	28	—	Warine, Prior of Loches	—
	July	—		Geoffrey Fitz-Peter.
IX.	Nov.	—	Roceline	—

The names of the justiciers of this reign are principally

taken from the FINES, and the great roll of the first year; both of which have been published under the direction of the Record Commission. Mr. Hunter, the learned editor of the former, has greatly diminished the labour of the enquirer, by appending to his valuable preface a list of those justiciers who were present when the fines were acknowledged in court. The great roll of 1 Richard I. refers to the pleas of a large number of justices itinerant in the different counties; among whom are several who have been before noticed as performing the duties of justicier in the Curia Regis at Westminster, under Henry II. These I have deemed it my duty to introduce as acting in the same character in the first year of this reign; the more especially as I find some of them performing the same functions in subsequent years, or in some other manner showing their continuance in the office.

The following list of justiciers omits those who were chief justiciaries at the time:—

I. 1189–90.	Hugh Bardolf,	Josceline, Archdeacon of Chichester,
	Michael Belet,	Godfrey de Luci, Archdeacon of Derby, afterwards Bishop of Winchester,
	William Fitz-Aldelm,	Robert Marmion,
	Nigel Fitz-Alexander,	Ralph Murdac,
	Osbert Fitz-Hervey,	Ralph, Archdeacon of Colchester,
	Roger Fitz-Reinfrid,	Robert de Witefeld.
	Ralph Fitz-Stephen,	
	William Fitz-Stephen,	
	Thomas de Husseburn,	
	Robert de Inglesham, Archdeacon of Gloucester,	
V. 1193–4.	Roger Bigot, Earl of Norfolk,	Geoffrey Fitz-Peter,
	Ranulph Blundevil, Earl of Chester,	Otho Fitz-William,
	Walter de Constantiis, Archbishop of Rouen,	Gilbert de Glanville, Bishop of Rochester,
	Richard Fitz-Neale, Bishop of London,	William de Longchamp, Bishop of Ely, Chancellor,
		William Mareschall,
		Simon de Pateshull,

	Hugh Pusar, Bishop of Durham,	clesia, Dean of St. Martin's, afterwards Bishop of
	Stephen de S. Jacobo,	London.
	William de S. Mariæ Ec-	
VI. 1194-5.	Richard de Heriard,	Hugh Peverel.
	Herbert Pauper, Bishop of Salisbury,	
VII. 1195-6.	Richard Barre, Archdeacon of Ely,	Oger Fitz-Oger,
	Geoffrey de Boeland,	Osbert Fitz-Simon,
	William Briwer,	William de Glanville,
	William Chanvill, Archdeacon of Richmond,	William de Kunill,
		Ralph, Archdeacon of Hereford,
	Henry de Chastillon, Archdeacon of Canterbury,	William de Vere, Bishop of Hereford,
		William de Warenne.
IX. 1197-8.	John de Gestlings,	Stephen de Turnham,
	James de Poterna,	Henry de Wichinton.
X. 1198-9.	Eustace, Bishop of Ely, Chancellor,	Philip of Poictiers, Bishop of Durham,
	Robert Fitz-Roger,	Ralph de Welford,
	Osbert Fitz-William,	William de Wrotham, Archdeacon of Taunton.
	Richard Flandrensis,	
	Godfrey de Insula,	

The great roll of 6 Richard I. contains an entry, which proves that the terms "barones" and "justiciarii" were still used indiscriminately: a proceeding in the Curia Regis at Westminster is recorded as having taken place before Walter, Archbishop of Rouen, Richard, Bishop of London, Geoffrey Fitz-Peter, "et aliis justiciariis domini regis;" who are afterwards referred to as "prædictis baronibus."[1] Some of the fines also are taken before A. B. and C., "justiciariis et aliis baronibus."[2]

The progresses of the itinerant justices continued throughout this reign; and the great roll of the first year proves that even then there was scarcely a county which some of them did not visit. In all cases the regular justiciers of the Curia Regis were at the head of the list, except when they

[1] Madox's Exch. i. 200. [2] Dugdale's Orig. Jurid. 92.

were preceded by a bishop or other ecclesiastical dignitary. Other persons were frequently added; sometimes selected from the gentry or clergy of the county, when the principal business was to fix the tallage or other charges; but, sometimes, evidently from professional attendants on the court, who, in after years, are found performing the ordinary functions of a justicier in the supreme court itself. These were probably sent in the pressure of business, in the same manner as serjeants are now frequently inserted in the commission, and were subsequently advanced to the bench.

In the following list of justices itinerant I have omitted those who have been previously mentioned as justiciers in this reign; unless their names occur before they appeared to have arrived at that dignity.

I. 1189–90.	Ralph de Arden,	Robert de Hardres,
	Roger Arundel,	Henry de Northampton,
	Maurice de Berkeley,	Hugh Pantulf,
	William Briwer,	Hugh Pusar, Bishop of
	Richard Brito, Archdeacon of Coventry,	Durham,
		Peter de Ros,
	William Fitz-Alan,	William de Stuteville,
	Geoffrey Fitz-Peter,	William Vavasour,
	Gilbert de Glanville, Bishop of Rochester,	William de Vere, Bishop of Hereford.
III. 1191–2.	Simon de Kyme,	Adam de Tornoura.
V. 1193–4.	Reginald de Argentine,	William de Warenne.
	Walter Fitz-Robert,	
VII. 1195–6.	William de Braiosa,	Richard del Pec,
	Simon de Pateshull,	John Suthill, Abbot of Hyde.
VIII. 1196–7.	Hugh de Bobi,	John de Garland,
	Walter de Crepping,	Eustace de Ledenham,
	Henry Fitz-Hervey,	Roger de Stikesward.
IX. 1197–8.	William Achard,	Henry de Kingeston,
	Simon Basset,	William de Rideware,
	Baldwin de Cuserugge,	Roger de S. Edmund,
	Osbert Fitz-Hervey,	Theobald Walter.
	Robert Fitz-Roger,	
	Geoffrey, Archdeacon of Berks,	

X. 1198-9.	William de Albini, of Belvoir Castle,	Ranulph, Treasurer of Salisbury,
	Philip Fitz-Robert,	Ralph de S. Martin.
	Geoffrey Hachet,	

The Exchequer is still named as the *place* where the Curia Regis was held at Westminster for civil causes[1], and where fines were sometimes levied. There is a record of a fine taken in 9 Richard I., "in Curiâ Regis apud Westm. ad Scaccarium," before the archbishop of Canterbury and others, "justiciariis domini regis."[2]

The judges and persons employed at the Exchequer had the privilege of being free from suits in county courts, &c., and from the common amerciaments on their property. There are instances in this reign in favour of Earl Roger Bigot, the bishops of London, Ely, and Norwich, Warine Fitz-Gerold, Geoffrey Fitz-Peter, Roger Fitz-Reinfrid, and William Mareschall, all of whom acted in a judicial capacity, and are exempted "per libertatem sedendi ad Scaccarium."[3]

[1] Madox's Exch. i. 213.
[2] Dugdale's Orig. Jurid 50.
[3] Madox's Exch. ii. 20.

BIOGRAPHICAL NOTICES

OF

THE JUDGES UNDER THE REIGN OF RICHARD I.

ACHARD, WILLIAM.

JUST. ITIN. 1197.

THE property of William Achard was situated in Berkshire, and was granted to his ancestor by King Henry I.[1] Although he acted in 9 Richard I., 1197–8, as one of the justices itinerant in fixing the tallage for that county[2], he does not again appear in a judicial character, nor is he mentioned as an officer of the court.

ALBEMARLE, EARL OF. *See* WILLIAM DE MANDEVILLE.

ALBINI, WILLIAM, OF BELVOIR CASTLE.

JUST. ITIN. 1199.

See under the Reigns of John and Henry III.

ALENÇON, JOHN DE, ARCHDEACON OF LISIEUX.

VICE-CHANCELLOR, 1190.

JOHN DE ALENÇON was, I conceive, one of the clerks of the Chancery; and obtaining ecclesiastical preferment according to the custom of these officers, was raised to the archdeaconry of Lisieux in 1185, on the elevation of Gilbert de Glanville to the see of Rochester. He was selected by King Richard to

[1] Madox's Exch. i. 648.

[2] Ibid. i. 705.

accompany him as his vice-chancellor to Normandy, previous to his departure for the Holy Land. There are six charters "data per manum Johannis de Alençoni, Archidiacono Lexoviensis, vice Cancellarii nostri," granted by Richard in that country in the months of January, March, June, and July, 1190.[1] William de Longchamp, Bishop of Ely, was at that time chancellor and chief justiciary in England, where, no doubt, according to the course duly recorded on the rolls of subsequent reigns, one great seal was left with him; while another was entrusted to a deputy in attendance on the king, to be used according to the royal pleasure.

No charter appears to have been authenticated by John de Alençon after July 1, 1190; and in the following March the duty was performed by Roger Malus Catulus.

In February, 1198, 9 Richard I., he was one of the witnesses to a charter given under the hand of Warine, Prior of Loches, "tunc agentis vicem Cancellarii nostri"[2]: and he was appointed treasurer of Vaudreuil on September 6, 1199, 1 John; being called in the grant "dilectus et familiaris clericus noster."[3] The last time I find any mention of him is in 3 John, when he accompanied Ralph de Furnellis to Rome, and letters of protection were granted to both while there.[4]

ARDEN, or ARDERNE, RALPH DE.

JUST. ITIN. 1189.

RALPH DE ARDEN, or Arderne, was son-in-law of Ranulph de Glanville, having married his second daughter Amabilia. With this connection, it is natural that he should have received employment in the king's service; and we accordingly

[1] Rymer's Fœdera, new ed., i. 48. 51.; Dugdale's Monast. (1846), i. 485., vi. 1115.

[2] Neustria Pia 897.; Monast. vi. 1110. [3] Rot. Chart. 1 John, i. 13.

[4] Rot. Pat. 3 John, 5.

find him sheriff of the county of Hereford, where he had considerable property, from 31 Henry II., 1184, to 1 Richard I., 1189.[1] In the latter year he was amerced in the large sum of 65*l.* for thirteen days' neglect in attending at the Exchequer according to his summons[2]; and he does not appear to have held the office afterwards. In the same year, however, probably just before his father-in-law had retired from the place of chief justiciary, he acted as a justice itinerant in Shropshire, Herefordshire, Gloucestershire, and Staffordshire.[3]

He subsequently incurred further disgrace, as the Pipe Roll of 6 Richard I., 1195, charges him as a debtor in Essex and Hertfordshire for 362*l.* 16*s.* 8*d.* for his fine, and for having *benevolentiam Regis.* But in 1198 he had recovered the king's favour, and accounts on the Norman roll of that year as bailiff of Pont-Audemer, in which office he was succeeded, on the accession of King John, by Walter de Ely[4], and probably died soon after. His wife, however, had died before 6 Richard I., for, in that year, Thomas de Arden, their son and heir, was engaged in a lawsuit relative to the partition of the property of Ranulph de Glanville, who, previous to his departure to the Holy Land, had devised it among his three daughters.[5] This Thomas was alive in 14 John, when a compromise was effected between him and

[1] Fuller's Worthies, Hereford. [2] Madox's Exch. ii. 235.

[3] Pipe Roll, 1 Richard I., 95. 144. 168. 248.

[4] Rot. Scacc. Norm.; Observations, Vol. II. pp. xxxv. clx. clxi. cclviii.

[5] Rot. Curiæ Regis, 6 Richard I., 24. The whole entry affords a remarkable confirmation of the correctness of the account given in the preface to Coke's 8th Report. It is there stated that Ranulph de Glanville left three daughters: 1 Matilda, married to William de Auberville; 2. Amabilia, married to Ralph de Arden, who had a son Thomas; and 3. Helewise, married to Robert Fitz-Robert, who had a son, Radulfus. The entry on the roll brings all the family together. "Thomas de Ardern et Radulfus filius Roberti ponunt loco suo Mag. Will. de Lecton versus Will. de Aubervill et Matil. uxorem ejus ad lucrandum et perdendum de partitione hereditatis Rann. de Glanvill."

the Bohuns, with whom his father and he had been in litigation for some years. According to a document cited in the preface to Coke's 8th Report, he had a son and heir also named Ralph, or Ranulph, who will be noticed in the next reign.

ARGENTINE, REGINALD DE.

JUST. ITIN. 1194.

See under the Reign of John.

ARUNDEL, ROGER.

JUST. ITIN. 1189.

See under the Reign of John.

BARDOLF, HUGH.

JUST. 1189.

See under the Reigns of Henry II. and John.

BARRE, RICHARD, ARCHDEACON OF ELY.

JUST. 1196.

See under the Reign of John.

BASSET, SIMON.

JUST. ITIN. 1197.

AMONG the justices itinerant of this reign occurs the name of Simon Basset, being one of those who fixed the tallage for the counties of Nottingham and Derby in 9 Richard I., 1197–8.[1] He was the son of William Basset, lord of Sapcote, in Leicestershire, the grandson of Richard Basset, and the great-grandson of Ralph Basset, all of whom have been already mentioned as justiciers; so that he was the fourth in succession of the same family who had occupied the judicial bench. His connection with Derbyshire arose from his marriage with Elizabeth, one of the daughters and coheirs of William Avenel, of Haddon in the Peak, in that county. In 7 John she fined eighty marks to the king to have her

[1] Madox's Exch. i. 733.

inheritance, which the king had seized on her husband's death, and that she should not be compelled to marry.[1]

His male descendants failed in the year 1378, by the death of Ralph, the then baron, leaving two daughters only.[2]

BELET, MICHAEL.

JUST. 1189.

See under the Reigns of Henry II. and John.

BENET.

KEEPER, or VICE-CHANCELLOR, 1192.

THE only notice we have of Benet, "Magister Benedictus," is the sentence of excommunication pronounced against him by the chancellor, William de Longchamp, Bishop of Ely, because he presumed to hold the great seal against the statutes of the king and kingdom, as the denunciator asserts, and contrary to his prohibition.[3] This no doubt was when Prince John and the barons removed Longchamp from the government, and forced him to quit the kingdom in 1192. The seal was probably then placed in the hands of this Benet, to perform the necessary duties during the vacancy. There is no charter, however, which records his name.

BERKELEY, MAURICE DE.

JUST. ITIN. 1189.

MAURICE DE BERKELEY was the son of Robert Fitz-Harding, who, having obtained a grant from Henry II., while Duke of Normandy, of the castle and lordship of Berkeley, of which Roger de Berkeley had been deprived for

[1] Rot. de Finibus, 7 John, 307.
[2] Dugdale's Baronage, i. 382.; Nicolas's Synopsis.
[3] Madox's Exch. i. 77.

his adherence to King Stephen, assumed the surname; but, Roger still urging his claim to the lordship, an agreement was entered into between them, with the consent of the duke and King Stephen, that Maurice, the son of Robert, should marry Alicia, the daughter of Roger. This taking effect, Maurice on his father's death, on February 5, 1170, succeeded to the barony, which he enjoyed till his own decease on June 16, 1190; having just previous to that event added one thousand marks to the purse which King Richard was making for the support of his holy war, under the pretence of a fine for the confirmation of his title.

In the last year of his life, he acted as a justice itinerant in Gloucestershire, his pleas appearing on the roll of that year.[1]

He was buried in the church of Brentford, Middlesex, to the building of which he had greatly contributed. He was a liberal benefactor also to several religious houses; and founded two hospitals, one at Lorwing, between Berkeley and Dursley; and the other, that of the Holy Trinity, at Long-Brigge, in Gloucestershire.

By his wife, the above-mentioned Alice, he had six sons; the eldest of whom, Robert, is mentioned as a justicier in the next reign. The present holder of the barony is his lineal descendant, with the title of earl, which, with the viscounty of Dursley, was granted in 1679, by King Charles II. Two hundred years before this latter grant, a Baron William had been created Viscount Berkeley in 1481; Earl of Nottingham in 1483; and Marquis of Berkeley in 1488: but these additional titles became extinct by his death without issue in 1492, and the barony only devolved on his brother.[2]

[1] Pipe Roll, 1 Richard I., 168.

[2] Dugdale's Baronage, i. 351.; Collins's Peerage, iii. 595.; Nicolas's Synopsis, 59.

BERKS, ARCHDEACON OF. *See* GEOFFREY.

BIGOT, ROGER, EARL OF NORFOLK.

JUST. 1194.

See under the Reign of John.

BLUNDEVIL, RANULPH, EARL OF CHESTER.

JUST. 1193.

RANULPH, Earl of Chester, surnamed Blundevil (or, as Dugdale says, Blandevil, from the town where he was born, then called Album Monasterium, now Oswestry), was the son of Hugh Cyvelioc, Earl of Chester, and Bertra, daughter of the Earl of Evreux. On his father's death in 1181, he succeeded to the title. While King Richard was in the Holy Land, he resisted Prince John's attempts to obtain the government, and distinguished himself in the sieges of the castles of Marlborough and Nottingham, held by the prince's adherents. On the king's return, he was appointed to carry one of the three swords at his second coronation.

In 5 Richard I., 1193–4, his name appears as one of the justiciers before whom a fine was levied; but there is no other trace of his having acted in a judicial capacity.[1]

He loyally assisted King John throughout the troubles of his reign, and was equally conspicuous in securing the throne to his son Henry III. As soon as the rebels were defeated, and the kingdom was at rest, he departed for the Holy Land, and was present at the siege of Damietta. After his return, in 4 Henry III., 1220, the activity of his disposition was frequently displayed, sometimes in opposition to the king, but more frequently in his support. He died in October, 16 Henry III., 1231, having presided over the county of Chester above fifty years; during which he proved

[1] Pref. to Fines of Richard I. and John.

himself a good soldier and an able commander; steadily loyal to his prince, but at the same time a firm resister of oppression. His possessions were very extensive, and were much increased by his two marriages and by various royal grants.

His first wife was Constance, daughter and heir of Conan, Earl of Brittany, and widow of Geoffrey, the son of King Henry II. Being divorced from her, "by reason that King John haunted her company," he then married Clemencia, daughter of Ralph de Feugers, and widow of Alan Dinant. He left no issue by either of them; and his property was divided among his four sisters and their descendants.[1]

BOBI, HUGH DE.

JUST. ITIN. 1197.

See under the Reign of John.

BOCLAND, GEOFFREY DE.

JUST. 1196.

See under the Reign of John.

BRAIOSA, WILLIAM DE.

JUST. ITIN. 1195.

See under the Reign of Henry II.

WILLIAM DE BRAIOSA was one of the justices itinerant to impose the assize on the king's demesnes in Herefordshire, in 20 Henry II., 1174[2]; but seems to have only been so appointed as sheriff of the county, an office which he held in that and the following year.

He was the grandson of a Norman baron of the same name, who, besides his honor of Braiose and other large possessions in Normandy, is recorded in Domesday Book as holding between fifty and sixty lordships in Sussex, Berks,

[1] Dugdale's Baronage, i. 41. [2] Madox's Exch. i. 124.

Wilts, Surrey, and Dorset. His successor was Philip de Braiosa, who, by his wife Berta, the daughter, and ultimately one of the heirs, of Milo, Earl of Gloucester, was father to this William.

Two such large inheritances being thus concentered in him, William de Braiosa became a powerful baron. In 3 Henry II., he fined one thousand marks for part of the honor of Barnstaple[1], his right from Johel de Toteneis, his great-grandfather; and in 10 Henry II., 1164, he was one of the subscribers to the constitutions of Clarendon. His favour with King Henry may be estimated by the grant, which he received in the twenty-fourth year of his reign, of the whole kingdom of Limerick. How far he deserved that favour depends on the truth or falsehood of an historian of Wales, who relates his horrible murder of Sitsylt ap Dynswald, and a large company of Welchmen, whom he had treacherously invited to a feast in the castle of Bergavenny.

In 7 Richard I., 1195–6, he again acted as a justice itinerant in Staffordshire[2]; and for the last seven years of that reign he held the sheriffalty of the county of Hereford. The wardship also of the heirs of Gilbert of Monmouth was given to him for a fine of one thousand marks.

The preservation of his influence in the early part of King John's reign is shown, not only by his continuance in the office of sheriff of his county, but also by the special charter he received from the king in his second year, exempting the lands of the honor of Braiose from the interference of any of the king's sheriffs or other officers, and giving William de Braiosa sole jurisdiction there.[3] From various grants that are recorded, the king's regard does not appear to have been completely withdrawn till about the ninth or tenth year of

[1] Pipe Rolls, 2, 3, 4 Henry II., 183.
[2] Madox's Exch. i. 546.
[3] Ibid. 150.

his reign.[1] Although historians differ as to the cause of the dissension, all agree that from that time he was the subject of royal persecution. One states that he refused to give the hostages which the king demanded to secure the obedience of his barons; another, that the king banished him for carrying war into Wales, and killing above three thousand men in the battle of Elvel; while the king's own narrative, as recorded in the Red Book of the Exchequer, attributes his outlawry to the non-payment of five thousand marks, which he owed for the province of Munster, in Ireland, and of five years' arrears of the ferm of Limerick; to the repeated evasion of his promises to pay these monies; to his resistance to the processes of distress sent against his castles; and to his rebellious conduct throughout the proceedings. The result was the capture of his wife, and their eldest son, William, whom King John, in 1210, barbarously commanded to be famished in their prison in Windsor Castle. The baron himself escaped, in the habit of a beggar, into France, where he died about 1212, and was buried in the abbey of St. Victor, at Paris.

His wife was Maud de Haya, or St. Walerie, to whose instigation the murder of the guests at Bergavenny is attributed, and on whose violence is charged all the subsequent misfortunes of her family. Her husband, though a bold and active soldier, seems from some accounts to have been of a pious and kindly disposition, making grants to the monks with no niggardly hand, and remarkable for his charity and courtesy to the poor.

His issue consisted of three sons and four daughters. William, the eldest son, called Gam, perished by starvation with his mother, at Windsor; Giles, was brought up to the church, and became bishop of Hereford; and Reginald

[1] Madox's Exch. i. 273.

succeeded in assuaging the wrath of the king, and in obtaining back great part of his father's possessions. Reginald's son died in 1229 without male issue.[1]

BRITO, RICHARD, Archdeacon of Coventry.

Just. Itin. 1189.

Richard Brito was an officer of the Exchequer, and, as was common at that time, the receipt of the rents of the vacant bishopricks of Lincoln and London while in the king's hands was committed to his charge, the former in conjunction with Master Gregorius, and the latter with Ralph, Archdeacon of Colchester. He was appointed Archdeacon of Coventry before 31 Henry II., 1185, being so described in the roll of that year.[2]

In 1 Richard I., he was one of the justices itinerant in the counties of Devon, Dorset, Somerset, Wilts, Hants, and Oxford[3]; and as he acted in so many counties, all probably in one circuit, without being recorded as a justicier at Westminster, it seems likely that officers of the court were sometimes sent on these itinera in addition to the regular justiciers. He no doubt continued to act in subsequent years, as the roll of 7 Richard I., 1195–6, contains an entry of the payment of sixty marks "Ricardo Britoni et sociis suis."[4]

That he was not a regular baron or justicier in 3 John, 1201–2, but still acted as a high officer of the Exchequer, may be collected from the entry of the discharge of a debt on the roll of that year thus, "sed recordatum est per barones, et per inspectionem scriptorum Ricardi Britonis."[5]

[1] Dugdale's Baronage, i. 414.; Fuller's Worthies, Hereford; Lord Lyttelton's Henry II., iii. 339.; Roger de Wendover, ii. 384., iii. 129. 225. 234. 237.

[2] Madox's Exch. i. 309. 311.

[3] Pipe Roll, 1 Richard I., 134.

[4] Madox's Exch. ii. 284.

[5] Ibid. i. 237.

BRIWER, WILLIAM.

JUST. ITIN. 1189. JUST. 1196.

See under the Reigns of Henry II., John, and Henry III.

CANTERBURY, ARCHBISHOP OF. *See* HUBERT WALTER.

CANTERBURY, ARCHDEACONS OF. *See* GEOFFREY RIDEL, HENRY DE CHASTILLON.

CHANVILL, WILLIAM DE, ARCHDEACON OF RICHMOND.

JUST. 1195.

IN 7 Richard I., 1195–6, William, Archdeacon of Richmond, was one of the justiciers at Westminster, before whom fines were levied.[1] That dignity was then held by William Chanvill, or Canvill, who had enjoyed it since 1189. He probably died in 1196, as his successor Eustace, first vice-chancellor and then chancellor to King Richard, was then appointed.[2]

CHASTILLON, HENRY DE, ARCHDEACON OF CANTERBURY.

JUST. 1195.

HENRY DE CHASTILLON, or Castillion, was raised to the archdeaconry of Canterbury some time in the seventh year of Richard I.; and was then acting as a justicier in the Curia Regis. Several fines were levied before him in that year; in the earlier of which, up to October 28, 1195, he is called simply by his Christian and surname; and in the latter of which, beginning May 3, 1196, he is always styled archdeacon.[3] He probably had previously filled some office in the Exchequer; and may have been the Henry de Casteillun

[1] Pref. to Fines of Richard I. and John.

[2] Le Neve, 323.

[3] Fines of Richard I. and John.

who accounted for the ministry of the chamberlainship, "chamberlengariæ," of London in the sixth and seventh years of Richard I.[1]

During the controversy which arose in 1202 between King John and the monks of St. Augustine's, Canterbury, concerning the right of patronage to the church of Faversham, the archdeacon contrived to secure some advantage to himself by claiming the custody of the church during the vacancy. He was succeeded in the archdeaconry by Henry de Sandford, who was afterwards Bishop of Rochester.[2]

CHESTER, Earl of. *See* Ranulph Blundevil.
CHICHESTER, Archdeacon of. *See* Josceline.
COLCHESTER, Archdeacon of. *See* Ralph.

CONSTANTIIS, WALTER DE, Archbishop of Rouen.

Just. Angl. 1191. Just. 1194.

See under the Reign of Henry II.

In the reign of Henry II., Walter de Constantiis, a canon of Rouen, held a responsible post in the Curia Regis. To him, according to Ralph de Diceto, the chancellor, Ralph de Warneville, on his appointment to that office in 1173, entrusted his duties in that court.[3] Hoveden describes him as vice-chancellor of the king, when he was sent with Ranulph de Glanville in 1176 or 1177 on an embassy to the Earl of Flanders.[4] What the precise nature of that office was, it would be difficult to define; but as the designation is never added to his name in the entries on the roll where he is mentioned, it may be inferred that it had at that time no definite or important character. He is introduced by Phili-

[1] Madox's Exch. i. 775.
[2] Hasted's Kent, xii. 564.
[3] Decem Scriptores; R. de Diceto, Coll. 567.
[4] Madox's Exch. i. 77.

pot as having been chancellor after Ralph de Warneville, and before Geoffrey Plantagenet[1]; a statement which is followed, as usual, by Spelman. But as neither Dugdale nor Madox nor the author of the "Lives of the Chancellors" notice him as holding that office, and as no charter contains his name with that description, it is probable that Philipot's sole authority is the passage in Hoveden; which, however, only describes him as deputy. No mention is made of his having been displaced when Geoffrey Plantagenet was appointed chancellor, in 1182; and though he was ultimately Geoffrey's successor in the bishoprick of Lincoln, it is clear that he did not receive it as a compensation for the loss of the chancellorship, inasmuch as the see remained vacant for more than a year before his election.

In 1175, Walter de Constantiis was raised to the archdeaconry of Oxford; in 1176, he had an allowance of fifty marks for providing for the ambassadors of the king of Sicily, when they came to demand Henry's second daughter, Jane, in marriage[2]; and in 1180 he accounted for the proceeds of the abbeys of Wilton and Ramsey, and of the honor of Arundel, then in the king's hands, of which he had been appointed custos.[3] On none of these occasions is any official title affixed to his name.

He held the living of Woolpit, belonging to the abbey of St. Edmund's, until June, 1183, when he was elected Bishop of Lincoln[4], from which see he was promoted in the following year to the archbishoprick of Rouen. In 1186, he was one of Henry's ambassadors to King Philip of France, and succeeded in obtaining a truce with that monarch; and in 1189, he and Baldwin, Archbishop of Canterbury, were appointed umpires to decide the disputes between them.

[1] Philipot, 12.
[2] Madox's Exch. i. 367.
[3] Ibid. i. 201., ii. 252.
[4] Chronica Jocelini de Brakelonda, 35. 126.

On Henry's death he invested Richard, in the cathedral of Rouen, with the sword of Normandy; and attending him into England, assisted at his coronation, and was present at the council held at the abbey of Pipewell. He accompanied that king on his progress to the Holy Land, but returned to England in February, 1191, escorting Queen Eleanor on her departure from Sicily. He brought with him a letter from King Richard, appointing him the head of the council for the rule of the kingdom: but a doubt has been raised as to its authenticity, from its not having been produced till some months after his arrival in England. Longchamp, however, was dismissed in October, 1191; and the archbishop of Rouen, by virtue not only of this letter, but of the appointment of Prince John and the barons, was constituted chief justiciary.

Warned, perhaps, by the example of his predecessor, he was moderate in the exercise of his office and cautious to avoid undertaking any important act without the advice of the barons and the consent of his associated council.[1] His name appears at the head of the justices present on the acknowledgment of a fine levied at Westminster, on Saturday next before the feast of St. Andrew the Apostle, in the fourth or fifth year of Richard's reign.[2] The former date seems the more probable, because he was out of office previous to the occurrence of that festival in the fifth year, which would be on November 30, 1193.

When Richard's place of confinement was discovered, and the terms of his enlargement were settled, Walter de Constantiis was summoned to attend him in Germany, and his place of chief justiciary was, in September, 1193, conferred on Hubert Walter, the new Archbishop of Canterbury. He

[1] Madox's Exch. i. 220.

[2] Pref. to Fines of Richard I. and John.

accompanied Queen Eleanor with the king's ransom, paid it to the emperor at Mentz, and procured Richard's liberation.

In 1196, a contest arose between Walter and King Richard, in consequence of the latter interfering with some of the property of the church of Rouen. The archbishop thereupon placed Normandy under an interdict, which produced such horrible confusion in the country, that Richard, unable to relieve the inhabitants by any other means, was compelled to appeal to Rome. By the pope's interposition the interdict was removed, and a convention was made between the king and the archbishop in the following year, exchanging the land in dispute for certain other property and privileges, no doubt greatly to the advantage of the church.[1]

On the accession of King John he performed the ceremony of investiture to the dukedom of Normandy in the church of Rouen, as he had previously done to his royal brother; and in the course of that reign terminated his active life.

Richard of Devizes wrote too near his time, and was too much of a partisan, to warrant his readers in placing entire credence on the hypocritical character which he ascribes to the archbishop. On the contrary, his conduct seems to have been guided by prudence and discretion, and not to have been deficient in firmness and courage. A strong proof of the latter would be shown by the admonition which, according to Brompton, he gave to King Richard against the indulgence of his three vices, pride, avarice, and lust; which produced the monarch's jesting reply, that he would give the first to the Templars, the second to the monks, and the third to the bishops. Other writers, however, attribute the rebuke to another divine.[2]

[1] Nicolas's Chron. of Hist. 303.

[2] Godwin de Præsul. 286.; Roger de Wendover, ii. 435., iii. 2. 5. 45. 49. 80. 95. 119. 138.; Richard of Devizes, 27. 31. 45.; Lord Lyttelton's Henry II., iii. 441.; Lingard, ii. 235.

COVENTRY, Archdeacon of. *See* Richard Brito.

CREPPINGS, WALTER DE.

Just. Itin. 1197.

See under the Reign of John.

CUSERUGGE, BALDWIN DE.

Just. Itin. 1197.

Baldwin de Cuserugge had property[1], and no doubt resided in Berkshire, and was one of the justices itinerant employed in 9 Richard I., 1197–8, to fix the tallage in that county.[2] His name does not again occur.

DERBY, Archdeacon of. *See* Godfrey de Luci.

DURHAM, Bishops of. *See* Hugh Pusar, Philip of Poictiers.

ELY, Archdeacons of. *See* Richard Fitz-Nigel, Richard Barre.

ELY, Bishops of. *See* Geoffrey Ridel, William de Longchamp, Eustace.

ESSEX, Earls of. *See* William de Mandeville, Geoffrey Fitz-Peter.

EUSTACE, Dean of Salisbury, Archdeacon of Richmond, Bishop of Ely.

Vice-Chancellor, 1195. Chancellor, 1198.

Of the parentage and early life of Eustace no memorial remains. It is not improbable, judging from his clerical and official career, that he was one of the clerks in Chancery, who in general were ecclesiastics, and who, after some length of service, were usually rewarded with preferment in the church. The appointment to accompany the king into Normandy, for the purpose of conducting such business of the

[1] Pipe Roll, 1 Richard I., 183. [2] Madox's Exch. i. 705.

great seal as might be required while he was abroad, would be the natural result of his official position; and the deanery of Salisbury, which he held in 1195, with the addition of the archdeaconry of Richmond, which was conferred upon him in the following year[1], would probably be the recompense to which he would be entitled from his standing in the court.

Hoveden calls him "Sigillifer" and "Vice-Chancellor;" but neither of these titles is assumed by himself in his subscription to the charters which he authenticated. In these he simply uses the terms "tunc gerentis," or "tunc agentis vices Cancellarii." It is observable, however, that he omits these words in one charter given under his hand, to which William de Longchamp's attestation as chancellor is added. This affords a presumption that in that case he only put the formal authentication as an officer of the court; as when the chancellor was present he could not be said to be "doing the duty of the chancellor."

The first charter given under Eustace's hand is dated April 7, 1195, 6 Richard I.[2]; and the next, being that which Longchamp also subscribes as a witness, is dated April 11.[3] These are the only two charters which I have found with his name, previous to the death of Longchamp, which occurred on January 31, 1197. But after that event, there are two others in which he uses the same form of words; showing that he was not immediately raised to the chancellorship. The first of these is dated July 14, and the last, October 17, 1197.[4] The latter has the addition of "Elect of Ely," to which see he had been raised on the 9th of the previous August, but was not consecrated till the 8th of March following.

It was not then the custom, as it became in subsequent reigns, to insert on the rolls the disposition of the great seal; so that there is no positive evidence of the actual time when

[1] Le Neve, 262. 324.
[2] Rymer's Fœdera, new ed., i. 65.
[3] Dugdale's Monast. (1846), iv. 393.
[4] Rymer, i. 67. 69.

he received it as chancellor. But it seems probable that he was appointed to that office before his consecration as bishop, because it is evident he had retired from his former position previous to the 28th of the preceding February; on which day a charter was authenticated by Master Warine, Prior of Loches, "tunc gerentis vicem Cancellarii."[1]

Succeeding Longchamp thus both in his ecclesiastical and his civil honours, the first, and indeed the only charter that I find with his name as chancellor, is dated on August 22, 1198, 9 Richard I., "apud Rupem Auree Vall."[2]; but there is no doubt that he continued in the office till the end of the reign; and he was officially present when a fine was levied at Westminster in the following year.[3] Richard's death occurred on April 6, 1199, when Eustace's duties ceased; King John selecting his successor from among his own adherents.

That John, however, appreciated his abilities and judgment, is proved by his being sent in 1202 with Hubert de Burgh to the court of France, to demand from King Philip a safe conduct on his sovereign's appearance there, to answer the charge made against him of having murdered his nephew, Prince Arthur. The ambassadors were told that their king might come in peace, but that his return would depend on the result of the trial; a decision which John was not so foolhardy as to risk.

In the subsequent troubles of that reign he was called upon to take a prominent and courageous part. Appointed in 1207, in conjunction with the Bishops of London and Worcester, to convey the papal remonstrance, they appeared before the king, and demanded of him the restoration of Stephen, the ejected Archbishop of Canterbury. The hardened monarch's angry and contemptuous refusal was followed by the bishops pronouncing the solemn interdict,

[1] Neustria Pia. 897.
[2] Rymer, i. 67.
[3] Pref. to Fines of Richard I. and John.

which deprived the kingdom for so many years of the rites of religion. Warned by the king's threats,. the bishops retired secretly from the kingdom; and in the following year, by the pope's directions, fulminated the sentence of excommunication against the royal person. They remained in voluntary exile till the year 1212, when, the king having found it necessary to obtain absolution from the pontiff, they ventured to return; and in the charter of submission afterwards executed, a pecuniary compensation was made to them for their losses.

During the short remainder of his life, Eustace was reconciled to his sovereign, and was one of his sureties to the barons for the redress of their grievances. He did not live to witness the grant of Magna Charta, but died at Reading on February 3, 1214, and was buried in his own cathedral.

He is described as well skilled in both sacred and profane learning, and as a pious and discreet prelate. To his church he was a considerable benefactor, and built the Galilee at the west end of it from its foundation.[1]

FITZ-ALAN, WILLIAM.

JUST. ITIN. 1189.

WILLIAM FITZ-ALAN, of Clun, in Shropshire, was the grandson of Alan, the son of Flathald, who received from William the Conqueror the castle of Oswaldstre. William succeeded his father, of the same name, about 19 Henry II., 1173.

In 1 Richard I., 1189-90, he was one of the justices itinerant into Shropshire, Hereford, Gloucester, and Stafford; the roll of that year mentioning his pleas in those counties.[2]

[1] Godwin de Præsul. 254.; Angl. Sac. i. 633.; Madox's Exch. i. 29. 77.; Rapin, ii. 429.

[2] Pipe Roll, 1 Richard I., 95. 144. 168. 248.

In the next year he became sheriff of Shropshire, and continued to hold that office through the remainder of the reign, and for the first three years of that of King John.[1] In 5 Richard I. he paid forty marks that he might enjoy it during the king's pleasure.[2] The manor of Chipping-Norton, in Oxfordshire, belonged to him, for a fair at which, and also at Clun, he obtained charters from King John.[3]

He died about 15 John, 1213–4; and Thomas de Erdington paid a fine of five thousand marks for the custody of the lands and marriage of his heirs.[4] He left a daughter, Agnes, who married Philip, the son of Simon de Kyme[5], and two sons; the eldest of whom, William, married Maria, the daughter of the above Thomas de Erdington, and died in 2 Henry III.[6] His brother John then succeeded to the property, which was extended over the several counties of Salop, Warwick, Sussex, Oxford, Norfolk, Stafford, and Wilts.[7] By the marriage of this John with Isabel, one of the sisters and coheirs of Hugh de Albini, Earl of Arundel, he acquired, in the partition of the estates, the castle of Arundel, which, with its appendant earldom, has remained in the family ever since; and is now held by his lineal descendant, the present Duke of Norfolk.[8]

FITZ-ALDELM, WILLIAM.

Just. 1189.

See under the Reign of Henry II.

William Fitz-Aldelm, or Aldelin, sometimes also called de Burgh, was descended from Robert, Earl of Moreton, in

[1] Fuller's Worthies, Shropshire.
[2] Rot. Chart. 6 John, 136.
[3] Rot. Claus. 15 John, 140. 155.
[4] Madox's Exch. i. 459.
[5] Rot. de Finibus, 16 John, 531.
[6] Ibid. 2 Henry III., 356. 382.
[7] Ibid. 343.
[8] Dugdale's Baronage, i. 314.; Nicolas's Synopsis.

Normandy, and Earl of Cornwall in England, the uterine brother of William the Conqueror. The fate of Earl Robert's son, William, who succeeded him, has already been mentioned.[1] He is said to have left two sons; the elder of whom was Aldelm, the father of the subject of the present notice.[2] The younger was either the grandfather or father of the celebrated Hubert de Burgh.

The first mention that occurs of William Fitz-Aldelm is on the roll of 6 Henry II., 1160, which records his authority for a payment made by the sheriffs of London for the livery of the king's son[3]; showing that he then held some office about the court. In the eleventh year of that reign he is called one of the king's marshals[4]; and in the twenty-third, 1177, and probably before, he was one of the dapifers.[5] While marshal, he was present as a justicier in the Exchequer on the execution of a contract between the abbots of St. Alban's and Westminster; and as dapifer he was exempted from the aid on his property in Hampshire.

It was, no doubt, in the latter character that he accompanied King Henry in his expedition to Ireland in October, 1171, 18 Henry II. He was then sent with Hugh de Lacy to receive the allegiance of Roderick, King of Connaught; and on the king's return to England in the next year the city of Wexford was committed to his charge, with two lieutenants under him. In 1173, Pope Adrian's bull, granting the kingdom of Ireland to Henry, was entrusted to the Prior of Wallingford and him to exhibit before the synod of bishops at Waterford: and on the death of Richard de Clare, Earl of Pembroke, in 1176, the king appointed him deputy over the whole of that kingdom, and granted him the wardship of Isabella, the earl's daughter and heir.

[1] See antè, p. 47.

[2] Burke's Peerage, *Clanricarde*; Biographie Universelle, *Burgho.*

[3] Madox's Exch. i 204. [4] Ibid. 44. [5] Ibid. 50.

His government, which is represented as having been weak and negligent, did not last above a year; Prince John receiving a grant of the kingdom at the parliament held at Oxford, in May, 1177; Fitz-Aldelm himself being present there. The city of Wexford, however, was restored to his charge, together with the province of Leinster.

Luxurious, proud, and covetous, harsh, unkind, and tyrannical to his officers, his unpopularity was heightened by the disgust naturally felt by a brave people against one to whom was imputed a too careful avoidance of personal danger in the wars which he undertook.

The complaints of the Irish deprived him for some time of Henry's favour, though they did not occasion his removal. Indeed it appears by a charter that the government of Ireland was again entrusted to him in 1181, 27 Henry II.[1]

During his residence in Ireland, he founded the priory of St. Thomas the Martyr at Dublin; and in Henry's charter of confirmation he is called the king's dapifer.[2] Brady states that he was seneschall of Normandy, Poictou, and some other of the king's dominions in France.[3]

After Henry's death he held the office of sheriff of Cumberland during the first nine years of Richard's reign, in the first year of which he was amerced in the sum of 60*l.* for not coming into the Exchequer to account for twelve days after he was summoned. In the same year he was one of the justices itinerant in that county and in Yorkshire; and in the former again in 8 Richard I.[4]

He afterwards returned to Ireland, obtained a great part of the province of Connaught, and while engaged in some cruel ravages, was seized with an illness, of which he died in 1204.

[1] Rymer's Fœdera (1816), i. 36.
[2] Dugdale's Monast. (1846), vi. 1141. [3] Brady's England, i. 365.
[4] Madox's Exch. i. 704., ii. 236.; Pipe Roll, 1 Richard I., 84. 138.

He married Juliana, the daughter of Robert Doisnell; and by her he had Richard de Burgo, surnamed the Great, lord of Connaught and Trim, who left two sons, Walter and William. Walter, by marrying Maude, the heir of Hugh de Lacy, became Earl of Ulster in Ireland, and from him, by the marriage of the third earl's sole daughter and heir, Elizabeth, with Lionel, Duke of Clarence, third son of King Edward III., descended Richard, Duke of York, the father of King Edward IV. William was the ancestor of the present Marquess and Earl of Clanricarde, in Ireland, who was created Baron Somerhill in England, on July 4, 1826. The same title, with that of Viscount Tunbridge, was given to Richard, fourth Earl of Clanricarde, in 1624, to which was added the earldom of St. Alban's in 1628; but these became extinct by the death of his son Ulick, in 1659, without male issue. The Irish earldom then devolved on a cousin, from whom the present marquess lineally proceeds. The Earl of Mayo also derives his lineage from the same root.[1]

FITZ-ALEXANDER, NIGEL.

JUST. 1189.

See under the Reign of Henry II.

NIGEL FITZ-ALEXANDER was one of the justiciers present in the Curia Regis in 31 Henry II., 1185, when a fine was levied there.[2] In the same year, and until 1 Richard I., he was sheriff of Lincolnshire[3], in which county he had considerable property. He gave a carucate of land in Bolebi to the priory of Sempringham in that county in pure and perpetual alms: and it is a curious fact that, in 29 Henry III.,

[1] Dugdale's Baronage, i. 693; Leland's History of Ireland, i. 113., &c.; Biographie Universelle; Biograph. Peerage, iv. 13.; Lord Lyttelton's Hen. II., iii. 85. &c.; Lingard, ii. 261.

[2] Pref. to Fines of Richard I. and John. [3] Fuller's Worthies.

the prior was exempted from the scutage upon it, because the heirs of Nigel had then sufficient property in the county to discharge it.[1] In 1 Richard I., also, he was one of the justices itinerant in the counties of Buckingham, Bedford, and Lincoln; and by the roll of that year he appears to have been a justicier of the forest acting in Yorkshire; and to have had the custody of the land and heir of Thomas de Bellofago.[2] He died before 9 John, when his son Osbert was engaged in a suit relative to lands in Fulebec, in Lincolnshire.[3]

FITZ-HERVEY, HENRY.

Just. Itin. 1196.

See under the Reign of John.

FITZ-HERVEY, OSBERT.

Just. 1194.

See under the Reigns of Henry II. and John.

FITZ-NIGEL, or FITZ-NEALE, RICHARD, Archdeacon of Ely, Dean of Lincoln, Bishop of London.

Just. 1189.

See under the Reign of Henry II.

It is evident that Richard, the son of Nigel, Bishop of Ely[4], must have been born before the canon requiring the celibacy of the clergy was strictly enforced; because he seems to have been openly brought forward by his father and acknowledged as his son. He was educated in the monastery of Ely; and was then placed in the Exchequer, at the head of which his father held the office of treasurer.

Brought up to the church, as most of the other clerks in those times were (whence indeed the derivation), his succes-

[1] Madox's Exch. i. 672.
[2] Pipe Roll, 1 Richard I., 35. 42. 69. 79.
[3] Abbrev. Plac. 59.
[4] See antè, p. 284.

sive ecclesiastical preferments in Henry's reign were canon of St. Paul's; archdeacon of Ely, 1169; and dean of Lincoln; by which latter title he is described in 30 Henry II., 1184.[1]

In his early youth he was the author of a work called "Tricolumnus," from its being arranged throughout in three columns. It was a tripartite History of England under Henry II.: the first column treating of the transactions of the church of England and the rescripts of the apostolical see; the second of the remarkable exploits of the king, which he says exceed all human credibility; and the third, of many affairs both public and domestic, and also of the court and its judgments.[2]

His diligence and erudition, and the capacity he displayed for the conduct of the public revenue, soon justified his father in recommending him as his successor in the office of treasurer. He was accordingly appointed; but as no royal favour was in those days conferred without an equivalent, Nigel was obliged to pay to the king four hundred marks for his son's nomination. The first record in which he is described in this character is a charter between the abbots of St. Alban's and Westminster executed at the Exchequer in 11 Henry II., 1165, he being one of the justices present.[3] He is called Richard the Treasurer in this and in most other documents in which his name appears. He continued in the office for the remainder of that reign, and managed the revenue with so much care and adroitness, that, notwithstanding the continual wars in which the country was involved, King Richard found on his father's death no less a sum than one hundred thousand marks in the Exchequer.

That monarch's appreciation of his merits was evidenced

[1] Le Neve, 73. 144.; Madox's Exch. i. 215.
[2] Dialogus de Scaccario; Madox's Exch. ii. 345.
[3] Madox's Exch. i. 44. 113.

not only by retaining his valuable services, but by raising him, soon after his coronation, to the bishoprick of London, to which he was consecrated on December 31, 1189.

During Henry's reign he frequently shared in the duties of a justice itinerant [1]; and from the time when fines were introduced into the court, namely, about 28 Henry II., his regularity of attendance is particularly observable, for there is scarcely one until the end of that reign in which his name does not appear. So also after King Richard's return from the Holy Land, till the year before his own death.[2]

Under the regency of William de Longchamp, Bishop of Ely, he possessed considerable influence; and it was by his interference that Geoffrey Plantagenet, Archbishop of York, when seized and imprisoned by the orders of the chief justiciary, was liberated. After presiding over his see about nine years, during which he spent large sums of money in the improvement of the cathedral and other edifices, he died on September 10, 1198, 10 Richard I.[3]

He left a most valuable legacy to his successors in the "Dialogus de Scaccario," copies of which are preserved both in the Black and the Red Books in the Exchequer. It is printed by Madox at the end of his learned History of that court: and in a preliminary dissertation he has satisfactorily established the claim of the bishop to the authorship, in opposition to that of Gervas of Tilbury, to whom it was for many years attributed.[4] It was composed in the 23rd or 24th Henry II., and describes the Exchequer with all its officers and their duties, and the forms of proceeding and

[1] Madox's Exch. i. 79. 124. 137. 701.

[2] Ibid. i. 113. 213. 215.; Pref. to Fines of Richard I. and John.

[3] One of the monks of Winchester (Angl. Sac., i. 304.), in describing this event, having designated his office of treasurer by the word "Apotecarius," an author has been led to commit the somewhat absurd blunder of making him the king's medical adviser.

[4] Madox's Exch. ii. 331—452.

their origin: a treatise of inestimable value as well to historians and antiquaries as to lawyers.[1]

FITZ-OGER, OGER.

JUST. 1195.

OGER, the son of Oger the Dapifer to Henry II., already mentioned as a justice itinerant of that reign, was sheriff of the united counties of Buckingham and Bedford from 33 Henry II. to 1 Richard I. inclusive. In the next year he was made sheriff of Hampshire, and filled that office also in 5 Richard I.[2] From 7 Richard I., 1195–6, to the end of the reign, his name often appears as one of the justiciers before whom fines were acknowledged at Westminster[3]; and in the first of those years he acted as a justice itinerant into Devonshire.[4]

He married Amy, one of the daughters and coheirs of William de Scheflega; his brother Michael marrying Sara, the other daughter; and in 28 Henry II. they made a final concord in the court at Westminster relative to the partition of the father's property.[5]

FITZ-PETER, GEOFFREY, EARL OF ESSEX.

JUST. ITIN. 1189. JUST. 1194. JUST. ANGL. 1198.

See under the Reign of John.

FITZ-REINFRID, ROGER.

JUST. 1189.

See under the Reign of Henry II.

OF Roger Fitz-Reinfrid no information occurs previous to 1176, 22 Henry II., when he is mentioned as a justice

[1] Godwin de Præsul. 179.; Roger de Wendover, iii. 39.
[2] Fuller's Worthies, Bedfordshire and Hampshire.
[3] Pref. to Fines of Richard I. and John.
[4] Madox's Exch. i. 502.
[5] Ibid. i. 113.

itinerant, in which capacity he acted for the next three years, and occasionally to the end of that reign. During this period he visited no less than thirteen counties[1]; an extent of circuit sufficient of itself to show that he was a regular justicier in the king's court, from whence these itinera emanated. But examples of pleas before him in the Exchequer at Westminster, are mentioned from 25 Henry II., 1179[2]; and he is recorded in Mr. Hunter's list of persons before whom fines were levied, as being present from 28 Henry II. to the end of the reign, and again in 10 Richard I.[3] In the first year of the latter reign his pleas as a justice itinerant appear in ten counties[4]; and his presence in the Curia Regis in 3 Richard I. is shown by his being a witness to a final concord then made there.[5]

It was then a common custom for some of the judges to be in personal attendance on the king; and accordingly his name is attached to the charter, dated at Oxford, in May, 1177, by which the grant of the kingdom of Cork to Robert Fitz-Stephen and Milo de Cogan was confirmed: and he was also one of the witnesses to the will of King Henry, dated at Waltham, in 1182.[6] He was Sheriff of Sussex for eleven years, commencing with 23 Henry II., and of Berkshire, in 1 Richard I.[7]

The estimation in which he was held is evidenced by his being appointed one of the council to assist the two chief justiciaries who were left in the government of the kingdom during King Richard's absence in the Holy Land.[8]

He married Rohaise, niece of Ranulph, Earl of Chester,

[1] Madox's Exch. i. 127. 129. 133. 135. 736.
[2] Ibid. 82, 83. 94. 113. 213.
[3] Pref. to Fines of Richard I. and John.
[4] Pipe Roll, 1 Richard I., 43. 100. 108. 118. 211. 228. 236.
[5] Introd. to Rot. Cur. Regis, p. cvii.
[6] Lord Lyttelton's Henry II., iv. [3.], [14.].
[7] Fuller's Worthies. [8] Madox's Exch. i. 34.

and widow of Gilbert de Gant, Earl of Lincoln.[1] His son Gilbert was one of the custodes of the bishoprick of Durham while it was in King Richard's hands; and appears also to have been a favourite of King John, from whom he obtained a charter for his property in Lancashire, and at Kendal, with a market at Warton.[2] In the subsequent intestine warfare he sided with the barons, but recovered the king's favour by a fine of twelve thousand marks; at the same time redeeming from prison his son John de Lancaster, who will be noticed as a justice itinerant under the reign of Henry III.[3]

FITZ-ROBERT, PHILIP.

JUST. ITIN. 1198.

THE justices itinerant who fixed the tallage in the county of Lincoln in 10 Richard I., 1198–9, were Hugh Bardolf and Philip Fitz-Robert[4]; and this is the only time the latter is noticed in that character. The roll of the following year, 1 John, contains a curious entry of his paying a fine of 200*l.*, and one hundred bacons and one hundred cheeses, for the grant of the wardship and land of the heir of Ivo de Munby till he was of age.[5]

FITZ-ROBERT, WALTER.

JUST. ITIN. 1193.

See under the Reign of Henry II.

THE first of this family who settled in England was Richard, the eldest son of Gislebert, Earl of Brion, in Normandy, whose father, Geoffrey, was a natural son of the first Richard, Duke of Normandy. Of this Richard Fitz-Gislebert, called

[1] Rot. Scacc. Norm.; Observations II. clvi.
[2] Madox's Exch. i. 401. 714.
[3] Rot. de Finibus, 17 John, 570.
[4] Madox's Exch. i. 705.
[5] Rot. de Oblatis, 1 John, 24.

also Benefacta, an account has already been given in the reign of William I.[1] Richard's fifth son Robert was a favourite of King Henry I., who made him his steward, and granted him the barony of Dunmow in Essex, and the honor of Baynard's castle, in London; both forfeited to the crown by William Baynard. He married Maud, the daughter of Simon de St. Liz, Earl of Huntingdon; and, dying in 1134, was buried at St. Neot's, in Huntingdonshire. His wife survived him till 1140.

Walter Fitz-Robert was his eldest son, succeeding to all his estates, except the lordship of Daventry, in Northamptonshire, which was left to his brother Simon. He was probably very young at his father's death, as no mention is made of him, beyond the usual assessments on his property, until 22 Henry II., 1176, when he is recorded as one of the three justices itinerant appointed by the council of Northampton to go into the eastern counties of England.[2] In this employment he was engaged for several following years[3]; during which time, and perhaps before it, he took his share in the judicial duties of the Curia Regis. Madox gives two instances during the reign of Henry II., in the 23d and 26th years, 1177–1180, in which he was present as one of the barons and justiciers there.[4] In 5 Richard I., 1193–4, also, he is named as holding pleas in Essex and Hertfordshire.[5]

His knightly pursuits were not forgotten in the performance of his civil duties. He supported William de Longchamp, Bishop of Ely, the governor of the realm, during King Richard's absence in the Holy Land, in his contest with John, the king's brother; and was entrusted with the command of the castle of Eye, in Suffolk. In 6 Richard I., 1194–5, he joined the expedition into Normandy.

[1] See p. 29.
[2] Dugdale's Chron. Series.
[3] Madox's Exch. i. 126. 137.
[4] Ibid. i. 94. 131.
[5] Ibid. ii. 20.

He died in 10 Richard I., 1198, and was buried in the choir of the priory of Dunmow, which his father had founded, and to which he himself had given divers churches and lands. Among other works of piety, he granted the church of Chedingham to the monks of Daventry; the churches of Thestone, Welle, and Henelingham, to the monks of St. Neot's; and the church of Wodeham to the Knights Hospitallers. The consideration for these gifts was the prayers of these holy persons for the souls of himself, his two wives, his children, and his ancestors.

These two wives were, first, Maud, daughter of Richard de Luci, the chief justiciary, who brought him the lordship of Diss, in Norfolk; and, secondly, Margaret de Bohun.

He left several sons; of whom Robert, the eldest, succeeded him, and was called Robert Fitz-Walter. His prowess as a warrior procured for him the addition of "the Valiant;" and, as leader of the barons confederated against King John, they styled him "Marshal of the army of God and the Holy Church." On the grant of Magna Charta he was at the head of the twenty-five barons appointed to enforce its observance. His grandson was regularly summoned to parliament in 23 Edward I., and the title lineally descended to the seventh baron Fitz-Walter; who, dying in 1432, without male issue, John Ratcliffe, whose father had married his daughter Elizabeth, was summoned in 1485. He was beheaded in 1495, but his son was restored and created Viscount Fitz-Walter in 1525, and Earl of Sussex in 1529. These two new titles became extinct in 1641 by the death of Edward, the sixth earl, without issue: but the barony descended to Benjamin Mildmay, the heir of Frances, the daughter of the second earl. In 1730, Benjamin Mildmay, the twentieth baron, was created Viscount Harwich and Earl Fitz-Walter; but dying in 1756, without children, these titles also became extinct. The barony then fell into

abeyance among the descendants of the five daughters of Thomas Mildmay of Graces, Esq., whose wife, Mary, was sister to Benjamin, the fourteenth baron.[1]

FITZ-ROGER, ROBERT.

JUST. ITIN. 1198. JUST. 1199.

See under the Reign of John.

FITZ-SIMON, OSBERT.

JUST. 1195.

DUGDALE omits the name of Osbert Fitz-Simon in his Chronica Series, but mentions him in his list of Fines as a justicier before whom one was levied on the Sunday before the feast of St. Luke the Evangelist, in 7 Richard I., October, 1195.[2] In the catalogue which Mr. Hunter gives of the justiciers whose names appear on the fines of this period, his name is not included.

FITZ-STEPHEN, RALPH.

JUST. 1189.

See under the Reign of Henry II.

AT an early period of the reign of Henry II., Ralph Fitz-Stephen was an officer in the chamber of the Exchequer; many payments made by and to him on the king's account being recorded in the rolls of the third and fourth years of that reign, 1157–8.[3] His continuance there is shown by an entry on the roll of 19 Henry II., 1173, recording the payment to him and Osbert the clerk of 100*l.* for the king's use out of the proceeds of the abbey of Glastonbury.[4]

[1] Dugdale's Baronage, i. 209. 218.; Bloomfield's Norfolk, i. 3.; Nicolas's Synopsis of the Peerage, 249.

[2] Dugdale's Orig. Jurid. 41.

[3] Pipe Rolls, 2, 3, 4 Henry II., 90. &c.

[4] Madox's Exch. i. 308.

The sheriffalty of Gloucestershire was entrusted to him in conjunction with his brother William Fitz-Stephen, in 18 Henry II., and from that time till 1 Richard I. either one or the other occupied the office.[1] For that county also he acted as a justice itinerant, in 20 Henry II., 1174; and having been appointed in 1176 at the head of one of the six divisions into which the circuits were then arranged, his pleas are recorded in the rolls of that and of the four following years, in twenty-four different counties.[2]

In 28 Henry II., 1182, he was one of the king's chamberlains, and his name appears as a witness to the king's will executed at Waltham in that year.[3] In 30 Henry II., 1184, he was among the justiciers and barons before whom a fine was levied in the king's court[4]; and in 33 Henry II., 1187, he was appointed custos of the abbey of Glastonbury, and so remained till 3 John.[5]

His pleas as a justice itinerant in various counties are noticed in the Great Roll of 1 Richard I., which also contains payments to him as chamberlain.[6] In the roll of 3 John, as well as in others, his scutage is excused on his property in the counties of Warwick and Leicester, Northampton and Gloucester; and in the latter county, the sheriff is allowed 30*l.* on lands given to him.[7]

He died in or before 6 John, as Godfrey de Albini then paid a thousand marks, his fine for having his land.[8]

[1] Fuller's Worthies.
[2] Madox's Exch. i. 123. 127. 129. 132. 135. 137.
[3] Lord Lyttelton's Henry II., iv. [14.]
[4] Pref. to Fines of Richard I and John.
[5] Madox's Exch. i. 635.; Rot. Cancell. 3 John, 195. Abbrev. Plac. 12.
[6] Pipe Roll, 1 Richard I., 5. &c.
[7] Rot. Cancell. 3 John, 13. 34. &c.
[8] Rot. Claus. 6 John. 9.

FITZ-STEPHEN, WILLIAM.

JUST. 1189.

See under the Reign of Henry II.

I HAVE mentioned in the preceding notice of Ralph Fitz-Stephen, that he had a brother, named William Fitz-Stephen, who filled with him the office of Sheriff of Gloucester from 18 Henry II., 1171–2, to 1 Richard I, 1190.[1]

There can be no question that this brother was the justice itinerant who, in 1176, 22 Henry II., was (like Ralph Fitz-Stephen) placed at the head of one of the six circuits then arranged by the council of Northampton; as his own county of Gloucester was included in the iter, and no distinction is made in the roll between the sheriff and justicier. His pleas are recorded in that and the four following years, not only in fourteen counties, but "ad Scaccarium" also.[2] His name likewise appears as a justice itinerant in Shropshire in 1 Richard I., 1190.[3]

Although I have no positive evidence to support the suggestion, I cannot help remarking that there are many grounds for identifying the sheriff and justicier with a remarkable man of the same name, who flourished at the same period. I mean William Fitz-Stephen, the author of the Life and Passion of Archbishop Becket, in which is introduced the description of the city of London printed in Stowe's Survey.

Several circumstances in the career of the latter render it far from improbable that he should have been selected for judicial employment. He himself says that he was a fellow-citizen with Becket, one of his clerks, and an inmate of his family; that, being by express invitation called to his service when chancellor, he became "in Cancellaria ejus dictator" [qu.

[1] Fuller's Worthies, Gloucestershire. [2] Madox's Exch. i. 127—139. 211.
[3] Pipe Roll, 1 Richard I., 95.

Remembrancer?], or, as another reads, "scriba in Cancellaria Angliæ;" that when Becket sat to determine causes, he was a reader of the instruments, and upon his request sometimes an advocate.[1] All this must have occurred before 1162, when Becket resigned the chancellorship; and from the expressions used, no doubt can exist that he was at that time established in some office in the Chancery, or in the Exchequer, where the business of the Chancery was usually transacted. There is nothing to show that he did not remain in his office after his patron's resignation of the great seal; and it is certain from his own relation, that, though he was present with the archbishop on his trial at Northampton, in 1164, he escaped being involved in the subsequent banishment of Becket's friends, in consequence of his having been the author of a rhyming Latin prayer, which he had once presented to the king in the chapel of Bruhull, in Buckinghamshire. The first two lines will be a sufficient specimen of its style: —

"Rex cunctorum sæculorum, rex arcis ætheriæ;
Rector poli, rector soli, regum rex altissime."[2]

That he was present at Canterbury, and was an eye-witness of Becket's murder, forms no objection to the presumption that he was a servant of the court; because it is to be recollected that the archbishop was then, at least nominally, reconciled to the king; and it could be considered no other than an act of decent respect for Fitz-Stephen to visit his former patron on his return from a long exile. After the murder had been accomplished, King Henry would naturally be anxious to disconnect himself from its perpetration, by carefully avoiding any act which might be construed into a punishment of those who had adhered to the troublesome prelate; independently of his being too wise a prince to

[1] Dissertation prefixed to Fitz-Stephen's Description of London, by an Antiquary (Dr. Pegge), 8.

[2] Biogr. Brit. Literaria, Anglo-Norman Period, 368.

deprive himself of the services of a learned and useful man, who had never made himself personally obnoxious.

It would therefore be far from unlikely that a person so situated should not be interfered with in his office; indeed, the reasons adduced would rather operate to promote his further advancement, as tending to remove the suspicions which then certainly attached to the king. Accordingly, his nomination as Sheriff of Gloucestershire in the following year can excite no surprise, especially as it was most usual in those times for officers of the Exchequer, or of other branches of the court, to be entrusted with such appointments; and the same reasons would account for the selection of such a man, palpably well experienced in the law, as one of the justiciers in 1176. That the termination of the sheriffalty and the last acts of the justicier both occur about 1190 or 1191, the period assigned for the death of the biographer, are curious circumstantial corroborations of the conjecture upon which I have ventured. Fitz-Stephen's Life of Becket offers nothing to contradict the supposed identity; but, on the contrary, it is remarkable for being written in a calmer style than that of other partisans, and for not attempting to implicate the king in authorizing the murder.

Fitz-Stephen had travelled to France to complete his education; and on his return, his erudition, which was conspicuous both as a scholar and a divine, recommended him to the notice of Becket, with whom he eventually became on terms of familiar intercourse. He is said to have been a monk of Canterbury, and is frequently called Stephanides.

FITZ-WILLIAM, OSBERT.

Just. 1198.

The Christian name of William was so common at this time, that it is difficult to determine to what family any individual

called "filius Willelmi" belonged. No circumstances are mentioned by which the lineage of this Osbert Fitz-William can be ascertained. In the last year of the reign of Rich. I., 1198–9, Osbert Fitz-William was one of the justiciers before whom a fine was levied[1]; but his name does not appear in any fine of a subsequent date. He was perhaps, therefore, merely an officer of the court; which is rendered more probable from his being sheriff or fermer of the county of Devon in 2 John, and of Hereford in 8 & 9 John.[2] A knight of the same name is recorded in 10 John as the first who attests the heirship of Robert de Mandeville, in the roll of Dorset and Somerset.[3]

FITZ-WILLIAM, OTHO.

JUST. 1193.

THE same remark applies to Otho Fitz-William which has been just made with reference to Osbert Fitz-William. From 28 Henry II., 1183, to 2 Richard I., 1190, Otho Fitz-William was sheriff of the united counties of Essex and Hertford.[4] In 5 Richard I., 1194, he acted as justice itinerant in the same counties[5]; and in that or the previous year he was one of the justiciers before whom a fine was levied at Westminster.[6]

FLANDRENSIS, RICHARD.

JUST. 1199.

See under the Reign of John.

[1] Pref. to Fines of Richard I. and John.
[2] Fuller's Worthies.
[3] Madox's Exch. i 489.
[4] Fuller's Worthies.
[5] Madox's Exch. ii. 20.
[6] Pref. to Fines of Richard I. and John.

GARLAND, JOHN DE.

Just. Itin. 1196.

In the Norman roll[1] of 1180, one hundred shillings are allowed for the passage of John de Garland; and during the vacancy of the bishoprick of Winchester between the death of Richard Toeliff and the election of Godfrey de Luci in 1189, he was one of the custodes appointed to receive the rents, &c.[2] There is no doubt, therefore, that he held some office in the court. In 8 Richard I., 1196–7, he and two others acted as justices itinerant, setting the tallage for the united counties of Essex and Hertford[3]; but after that date no mention occurs of his name.

GEOFFREY, Archdeacon of Berks.

Just. Itin. 1197.

In 9 Richard I., 1197–8, the Archdeacon of Berkshire is the first of four justices itinerant who set the tallages in that county.[4] According to Le Neve, Geoffrey then held that office; being named in it so early as 1175, and so late as 1200.[5]

GESTLINGES, JOHN DE.

Just. 1198.

See under the Reign of John.

GLANVILLE, GILBERT DE, Bishop of Rochester.

Just. Itin. 1189. Just. 1194.

Gilbert de Glanville was Archdeacon of Lisieux at the time, July 16, 1185, 31 Henry II., he was elected

[1] Rot. Scacc. Norm. i. 68.
[2] Pipe Roll, 1 Richard I., 5.
[3] Madox's Exch. i. 704.
[4] Ibid. i. 705.
[5] Le Neve, 278.

Bishop of Rochester; and was obliged to be ordained priest before he received consecration. He does not appear among the justiciers till 1 Richard I., 1189–90, when he acted as a justice itinerant in the counties of Kent, Sussex, Essex, Hertford, Norfolk, and Suffolk.[1] Several fines in 5 & 7 Richard I. also contain his name as having been present when they were levied.[2]

The whole of his episcopal life was engaged in a contest with the monks of his church relative to certain lands which he claimed as belonging to the see. The monks, to defray the expenses they incurred, converted the silver shrine of St. Paulinus (a former bishop) into money; and are said by some to have carried their animosity so far as to refuse the ordinary funeral rites to the bishop's body when he died. This, however, according to others, was occasioned by the interdict then hanging over the kingdom. The bishop's death happened on June 24, 1214, and his tomb is within the rails of the altar of his cathedral. He founded, and amply endowed, the hospital at Stroud, in Kent, for receiving the poor, infirm, and impotent, and providing them with food and lodging; an act which is a sufficient answer to the harsh character given to him by the monks in their doggerel rhymes written on his death.[3]

GLANVILLE, RANULPH DE.

JUST. ANGL. 1189.

See under the Reign of Henry II.

RANULPH DE GLANVILLE was born at Stratford, in Suffolk. He was grandson of a baron of the same name, whose pos-

[1] Pipe Roll, 1 Richard I., 27. 50. 211. 238.

[2] Pref. to Fines of Richard I. and John; Dugdale's Chron. Series.

[3] Godwin de Præsul. 528.; Hasted's Kent, iii. 384., iv. 121.

sessions were in the counties of Norfolk and Suffolk; and younger son of William de Glanville; of neither of whom is anything recorded except their pious benefactions to the monks. Bartholomew, his eldest brother, followed in the same course, confirming his father's large grants to the priory he founded at Bromholme, in Norfolk, and adding considerable endowments. He was sheriff of the two counties from the 16th to the 22nd Henry II., 1170–1176; and on his death, Ranulph succeeded to the barony.

Long previous to this event, however, Ranulph, then a younger brother, had raised himself to a considerable position. It does not precisely appear in what capacity he began his career, but it seems most probable that he filled some office in the Exchequer. The onerous and responsible dignity of sheriff, when not conferred on some favourite or nobleman of the neighbourhood, was in those times frequently entrusted to individuals connected with the court; especially in those extensive and distant counties where the execution of the duties required not merely a character for integrity, but some proficiency in the laws. It was probably in this character that he held that office in the united counties of Warwick and Leicester in 10 Henry II., 1164[1], and that in the same year he was advanced to the sheriffalty of the more important county of York. The former he retained for only one year, but in the latter he continued during the whole remainder of the reign. These appointments took place twelve years before his name is recorded as a justicier; but after he was raised to the bench, several other counties were placed under his care as sheriff. These were, Lancashire in 21 Hen. II., Westmoreland in 23 Hen. II., Worcester in 29 Hen. II., and Warwickshire and Leicestershire again from 26 Hen. II. to the end of the reign. In both periods of his life the custody

[1] Fuller's Worthies.

of estates and honors then in the king's hands was frequently entrusted to him.

According to Benedict Abbas, Queen Eleanor was consigned to his care during the sixteen years of her confinement in the castle at Winchester, of which, and also of the royal treasury there, he had the custody.[1] That he treated her with the respect due to her station is shown by the confidence she reposed in him when placed in authority on her release.

During his northern sheriffalty his military talents were called into action by the incursion of the Scots, and his efficiency as an energetic and brave commander was soon proved. Having, with the assistance of King Henry's illegitimate son, Geoffrey, then Bishop of Lincoln, forced the Scottish king to retire, that monarch, a short time afterwards, renewed his attack, and while his army was ravaging the neighbouring country, he himself besieged Alnwick. There Ranulph de Glanville, at the head of the Yorkshire barons, surprised him on July 11, 1174; and, defeating his troops, took him prisoner.[2] This victory was of the highest importance to King Henry in the critical state of the kingdom, then distracted by the rebellious conduct of his sons. From this time, therefore, the valorous sheriff, brought more immediately under the king's notice, was employed in services for which he was not long in proving that he was equally fitted.

In the very next year he appears as a justice itinerant; his pleas being recorded not only in his own county of York, but in thirteen other counties; and in 1176, one of the six circuits into which the council of Northampton then divided the kingdom was appropriated to him and two others. In

[1] Miss Strickland's Queens of England, i. 334.

[2] Lord Lyttelton's Henry II., iii. 135. 148.

1177 he was sent, with Walter de Constantiis, the king's vice-chancellor, on an embassy to the Earl of Flanders; and when the council of Windsor in 1179 re-arranged the kingdom for judicial purposes into four divisions, although most of his brethren were removed, his capacity was so conspicuous, and his integrity so unblemished, that he was not only re-appointed to act in one of them, but was among those specially selected to hear the complaints of the people in the Curia Regis at Westminster.[1]

This arrangement took place on the retirement of Richard de Luci from public life, whose office of chief justiciary was supplied by the united appointment of the Bishops of Winchester, Ely, and Norwich. These prelates, however, did not long continue in the presidency of the court; but, removed it is said by papal remonstrance, were replaced in the next year, 1180, by Ranulph de Glanville alone; the king having now reason to feel, that, whether as a lawyer, a warrior, or a statesman, he might be safely entrusted with the supreme power during his own absence from the kingdom.

That King Henry had no reason to regret his choice may be presumed from the fact that Ranulph de Glanville continued in this exalted place during the whole remainder of the reign, and was as high in the royal favour and confidence at the close as at the commencement, being named one of the executors to the king's will. Even the dereliction from the path of judicial integrity, of which he is reported to have been guilty in the condemnation of Sir Gilbert de Plumpton, could not remove from him his sovereign's support. It is related that this knight in 1184 was unjustly condemned by the chief justiciary on a charge of rape; and that the iniquitous judgment was pronounced for the purpose of giving the widow of the unfortunate knight, a rich inheritrix,

[1] Dugdale's Chron. Series; Madox's Exch. i. 77. 125—137.

to the justiciary's friend Rainer, who performed his duties as Sheriff of Yorkshire. The sentence of death, which was ordered to be immediately executed, was delayed by the interference of the Bishop of Worcester; and the case being remitted to the king, Sir Gilbert's life was saved, but his person imprisoned for the rest of the reign. Presuming this story to be true, the chief justiciary's merit must have been great indeed to induce the king to pardon so monstrous a perversion of justice. Some doubt, however, cannot but be attached to the relation, not merely from its extravagant ferocity and the impunity of its perpetrator, but from the assertion of the author of the work which bears Glanville's name, (and if he were not Glanville he clearly was a contemporary,) who says in the prologue that "none of the judges have so hardened a front, or so rash a presumption, as to dare to deviate, however slightly, from the path of justice, or to utter a sentence in any measure contrary to the truth."[1] It is scarcely possible to suppose that a king so just as Henry II. would have overlooked the guilt of the judge or have visited the innocence of the accused with imprisonment.

The ten years during which he was at the head of the government afforded him full scope for the exercise of his various powers. In the year after his appointment he headed a large army against the Welsh; and though at first he made little progress, he succeeded at last, not only in bringing them back to their fealty, but in procuring from them a large body of infantry to serve in the subsequent wars against Philip of France. In those wars we find him successfully engaged in procuring a truce between the two kings.[2] So high an opinion had Henry of his wisdom and sagacity, that

[1] Beames's Translation of Glanville, Pref. p. xxxvii.

[2] Lord Lyttelton's Henry II., iii. 369. 441.

he sent him with his son John to assist and direct in the government of Ireland.[1]

From the absence of all contemporary complaint, and the internal quiet of England, notwithstanding the repeated and long-continued visits of Henry to his foreign dominions, it may be concluded that the rule of the chief justiciary was guided by discretion and moderation. That he was not blind to the arrogance of the clergy, and had spirit enough to resist it, may be judged from his rebuke to the monks of Canterbury. In a contest they had with the archbishop in 1188, they had been aping the conduct of Becket in their insolence; and had proceeded so far, that Glanville, who had been treating with them, indignantly exclaimed, "You monks turn your eyes to Rome alone, and Rome alone will destroy you."[2] Yet this did not proceed from any irreligious feeling; for in the same year, when the crusade was preached at Gedington, though his age and position would have been a sufficient excuse, he partook of the enthusiasm and engaged in the enterprise. The king's death, which happened the next year, only delayed, but did not prevent the performance of his vow. His piety was further evidenced by the foundation and endowment of the priory of Butley and the abbey of Leystone, both in Suffolk, for canons of the order of St. Augustine.[3]

In his character of chief justiciary he assisted at the coronation of Richard I., on September 3, 1189; and was sent by the king to restrain the people from the massacre of the Jews which disgraced that solemnity. Two or three authors testify that he was deprived of his office at the beginning of this reign, and was obliged to purchase his release from imprisonment by an enormous fine, fixed by some at 5000*l.*, and

[1] Leland's History of Ireland, i. 143.
[2] Lord Lyttelton's Henry II., iii. 486.
[3] Dugdale's Monast. (1846), vi. 379. 879.

by others at 15,000*l.* The silence of other historians throws a discredit on the story, which is supported by his subsequent proceedings. His retirement from the office of chief justiciary would be a necessary result of his determination to proceed to Jerusalem; and his payment of a sum of money to assist the king in his holy war would be only what that monarch required from all who could afford it. The roll of that year, so far from giving any evidence of his disgrace, proves plainly that he continued to act in his judicial character after the death of King Henry. Not only are there "Nova Placita" held before him evidently after that event, but there are writs in his name, issued as well under the precept of the king "de ultra mare," as under that of the queen-mother, Eleanor, whom Richard, on his father's death, had released from her imprisonment and entrusted with the government till his arrival in England.[1] We have subsequent evidence of his being with the king in Normandy on his way to the Holy Land; as he is the first of the witnesses attesting a royal charter given under the hand of John de Alençon, the vice-chancellor, "apud Moret.," on April 11, 1190, 1 Richard I.[2]: and we afterwards find him travelling towards Jerusalem in company with Baldwin, Archbishop of Canterbury, and Hubert Walter, his nephew, Bishop of Salisbury, and landing at Tyre about Michaelmas, 1190; all of them having been despatched by King Richard to assist at the siege of Acre[3], and having previously, according to some accounts, accompanied the king himself through France as far as Marseilles. There can be little difficulty, therefore, in discarding the story of his disgrace as fabulous, so satisfactorily contradicted as it is by facts in which all historians agree, and by records which cannot be doubted.

He and his companions reached Acre, before which Arch-

[1] Pipe Roll, 1 Richard I., 8. 15. 17. 39. &c.
[2] Madox's Exch. i. 77.
[3] Roger de Wendover, iii. 30.

bishop Baldwin first fell a victim; and then, before the end of the year, Ranulph de Glanville; not, as sometimes stated, in the heat of battle, but "ex aeris nimia corruptione."[1]

He married Berta, one of the daughters of Theobald de Valoins, Lord of Parham, who gave him and his wife the land of Brochous, in which the priory of Butley (afterwards founded by him) was situated. Maud, another daughter of Theobald, married Hervey Walter, the father of Hubert Walter, Archbishop of Canterbury, and of Theobald Walter, the ancestor of the noble family of Butler, Marquess of Ormond.

Leaving no male issue, he distributed his lands before he sailed on his last expedition among his three daughters: Matilda, the wife of William de Auberville, a justicier in the reign of Henry II.; Amabilia, the wife of Ralph de Arden, a justicier in this reign; and Helewise, the wife of Robert Fitz-Robert.[2] The two latter and their husbands were dead before 6 Richard I., 1195–6; as in that year the son of each was engaged in a suit with William de Auberville and his wife relative to the partition of the property.[3]

I have already, in the "survey of the reign" of Henry II., referred to the work generally attributed to this great man, intitled "Tractatus de Legibus et Consuetudinibus Regni Angliæ;" and have stated the grounds for considering him as its author.[4] If decisive evidence of the fact cannot be advanced, there is at all events no candidate who has superior claims to the honour of having produced it, nor is there any hypothesis of sufficient weight to counterbalance the presumptions in favour of the tradition.[5]

[1] Roger de Wendover, iii. 36.
[2] Dugdale's Monast. (1846), vi. 380.
[3] Rot. Curiæ Regis, 6 Richard I., 24.; Abbrev. Plac. 3.
[4] See p. 180.
[5] Dugdale's Baronage, i. 423.; Lord Lyttelton's Henry II. Lingard.

GLANVILLE, WILLIAM DE.

JUST. 1195.

THE connection between William de Glanville and his eminent namesake no otherwise appears than that he was a witness, with the title of "Clericus," to the charter of Hervey Walter, Ranulph de Glanville's brother-in-law, to the priory of Butley, which was founded by the chief justiciary.[1] He was one of the justiciers in the seventh, eighth, and ninth years of Richard's reign; fines being levied before him in the two former[2], and the tallage of Norfolk and Suffolk being assessed by him in the latter.[3] He was still alive in 3 John, being charged on the roll of that year with a debt of 48*l.* 7*s.* 2*d.* in Norfolk, which he was allowed to pay at the rate of 20*l.* per annum.[4]

Mr. Hunter, in his valuable preface to the "Fines of Richard I. and John," suggests the possibility of his having been the author of the treatise generally attributed to Ranulph de Glanville; but he offers no other grounds for the suggestion than the identity of the name.

GLOUCESTER, ARCHDEACON OF. *See* ROBERT DE INGLESHAM.

HAGET, GEOFFREY.

JUST. 1198.

IN the year 1195–6, 7 Richard I., William de Stuteville and Geoffrey Haget were placed as custodes over the county of York in consequence of the refusal of the archbishop, who was then sheriff, to appear before the commissioners appointed by the chief justiciary to determine the controversy between

[1] Dugdale's Monast (1846), vi. 380.
[2] Pref. to Fines of Richard I. and John.
[3] Madox's Exch. i. 705. [4] Rot. Cancell., 3 John.

him and the canons of York[1]: and in 10 Richard I., 1198-9, Geoffrey was associated with Hugh Bardolf and Master Roger Arundel as a justice itinerant over that and the other northern counties, to hear pleas of the crown.[2]

He was the eldest son of Bertram Haget, who possessed considerable property in Yorkshire, and who granted a hermitage and land in the park of Helagh in that county, upon which Geoffrey afterwards built a church; and a priory was subsequently established by his sister Alice and her husband, Jordan de Sancta Maria. Geoffrey was never married, and on his death his possessions were divided among Alice and his three other sisters.[3]

HARDRES, ROBERT DE.

Just. Itin. 1189.

In 31 Henry II., 1185, Richard, Archdeacon of Coventry, and Robert de Hardres, were the custodes of the see of Coventry, then vacant.[4] The latter appears to have been, about that time, possessed of property at Hadleigh in Suffolk.[5] He was one of the justices itinerant in the county of Lincoln in 1 Richard I., 1189–90[6], his pleas being recorded in the roll of that year: and again, in the eighth year of that reign, 1196–7, he, with his associates, fixed the tallage in the same county.[7]

He held the prebend of Lochton, in the church of Lincoln, and died about 9 John, when his canonry was presented to William of Ely, the Treasurer.[8]

He derived his name from Hardres, a parish near Can-

[1] Madox's Exch. i. 25.
[2] Dugdale's Chron. Series.
[3] Dugdale's Monast. (1846), vi. 437.
[4] Madox's Exch. i. 309.
[5] Ibid. i. 116.
[6] Pipe Roll, 1 Richard I., 69.
[7] Madox's Exch. i. 704.
[8] Rot. Pat. 9 John, 73.

terbury; and was no doubt a branch of the family who held the manor there under the Earls of Clare. They assumed the name about 1180, and several of them held a high position during the following reigns. One of their descendants was sheriff of the county in the reign of Elizabeth; and another was created a baronet by Charles I., in 1642. The title, however, became extinct in the early part of the reign of George III.[1]

HEREFORD, ARCHDEACON OF. *See* RALPH.

HEREFORD, BISHOP OF. *See* WILLIAM DE VERE.

HERIET, RICHARD DE.

JUST. 1195.

See under the Reign of John.

HUSSEBURN, THOMAS DE.

JUST. ITIN. 1192. JUST. 1194.

See under the Reigns of Henry II. and John.

HYDE, ABBOT OF. *See* JOHN SUTHILL.

INGLESHAM, ROBERT DE, ARCHDEACON OF GLOUCESTER.

JUST. ITIN. 1189.

See under the Reign of Henry II.

To the name of Robert de Inglesham the word "Magister" is always prefixed; that title having, about this period, begun to be adopted by the clergy, or those who were professors of the canon and civil laws. In 31 Henry II., 1185, he was one of the custodes of the bishoprick of Worcester, which was at that time, with many others, in the hands of the king; his colleagues in this trust being John Fitz-Henry and William, then Archdeacon of Gloucester.[2] This William

[1] Hasted's Kent, fol., iii. 732.

[2] Madox's Exch. i. 310.

was raised to that bishoprick in the following year, when Robert de Inglesham succeeded to the archdeaconry. He is so described in a fine of 33 Henry II., 1187, when he was one of the justiciers before whom it was levied [1] His pleas also as a justice itinerant in Hampshire and Devonshire occur in the roll of 1 Richard I., 1189–90.[2]

He died before 1197, that being the date given to his successor in the archdeaconry.[3]

INSULA, GODFREY DE.

JUST. 1199.

See under the Reign of John.

JOSCELINE, ARCHDEACON OF CHICHESTER.

JUST. 1189

See under the Reign of Henry II.

JOSCELINE, Archdeacon of Chichester, was one of the custodes of the bishoprick of Exeter in 31 Henry II., 1185, while it was in the king's hands.[4] Two years afterwards, his name occurs as a justice itinerant in company with Godfrey de Luci and William le Vavasour, fixing the tallage of the counties of Lincoln and York[5]; and in that year also he was present in the Curia Regis as one of the justices before whom a fine was acknowledged.[6] The continuance of his judicial functions is shown by the roll of 1 Richard I., where his pleas as a justice itinerant in various counties, not only for that but the preceding years, appear.[7] He probably died

[1] Pref. to Fines of Richard I. and John.
[2] Pipe Roll of 1 Richard I., 134. 202.
[3] Le Neve, 303.
[4] Madox's Exch. i. 310.
[5] Ibid. i. 635. 713.
[6] Pref. to Fines of Richard I. and John.
[7] Pipe Roll, 1 Richard I., 69. 132. 160. 174. 209. 235.

shortly afterwards, as the date of his successor in the archdeaconry is 1190.[1]

KINGESTON, HENRY DE.

JUST. ITIN. 1197.

KINGESTON is a small town in Berkshire, and belonged in the time of King Richard to Ralph Basset. In the ninth year of that reign, 1197–8, it was tallaged with the rest of the county by four justices itinerant, one of whom was Henry de Kingeston[2], no doubt of the same place. His name does not appear on any other occasion.

KUNILL, WILLIAM DE.

JUST. 1195.

MR. HUNTER inserts William de Kunill among the justiciers before whom fines were levied in 7 Richard I., 1195–6.[3] As the name does not again occur, and as Dugdale does not notice him, it is not unlikely that he was merely an officer of the court who happened to be present.

KYME, SIMON DE.

JUST. ITIN. 1191.

See under the Reign of John.

LEDENHAM, EUSTACE DE.

JUST. ITIN. 1196.

EUSTACE DE LEDENHAM is the third named of five justices itinerant into Lincolnshire, fixing the tallage of that county in 8 Richard I., 1196–7.[4] He was probably selected as

[1] Le Neve, 65.
[2] Pref. to Fines of Richard I. and John.
[3] Madox's Exch. i. 705.
[4] Madox's Exch. i. 704.

having been sheriff two years before. His principal property was at Lange Ledenham, which after his death came into the possession of Ranulph Fitz-Robert; but he had previously given some of his other lands in the same county to the Master of the Temple.[1]

LINCOLN, Dean of. *See* Richard Fitz-Nigel.
LISIEUX, Archdeacon of. *See* John de Alençon.
LOCHES, Prior of. *See* Warine.
LONDON, Bishops of. *See* Richard Fitz-Nigel, William de St. Mariæ Ecclesia.

LONGCHAMP, WILLIAM DE, Bishop of Ely.

Chancellor, 1189. Just. Angl. 1189.

William de Longchamp (*de Longo Campo*) was a Norman by birth and of the lowest extraction, his grandfather being little more than an agricultural labourer. The earliest notice of him is in the employment of Geoffrey, the natural son of King Henry; afterwards he was taken into that of Richard, while Earl of Poictiers.

In what capacity his earlier services were rendered is not related; but before Richard's coronation as King of England, and while he assumed the title of "Dominus Angliæ" only, Longchamp had acquired such favour with his royal master as to be appointed his chancellor; and his name, with the addition of "Cancellarius *meus*," appears on a charter granted to Gerard de Camville, while the king was at Barfleur, in his progress to this country to take possession of his crown.[2]

He was confirmed in his office on Richard's coronation; and a charter granted to the abbey of Vaudey in Lincolnshire, only four days after that event[3], bears his official

[1] Rot. Claus. John, i. 122. 216.
[2] Archæol. xxvii. 112.
[3] Dugdale's Monast. (1846), v. 461.

authentication, with nearly twenty others between that date and the departure of the king for Normandy in the following December.

During this interval, he received still stronger proofs of the king's confidence and favour. At the council of Pipewell, on September 15, he was nominated to the see of Ely, then vacant by the recent death of Geoffrey Ridel; his consecration to which, however, did not take place till the last day of the year. King Richard at the same council appointed Hugh Pusar, Bishop of Durham, and William de Mandeville, Earl of Essex and Albemarle, to be chief justiciaries and regents of the kingdom during his absence; but, the earl dying in November, the king in the following month named Longchamp in his place, assigning the rule of the northern parts to the Bishop of Durham, and that of the southern to the Bishop of Ely; and at the same time associating with them as a council, Hugh Bardolf, William Marshall, Geoffrey Fitz-Peter, and William Briwer.

The power which Longchamp thus acquired by holding two such offices as chief justiciary and chancellor was still further increased in the following June by Pope Clement appointing him legate in England, Wales, and Ireland; a dignity for which he is said to have paid the pontiff a fee of no less than fifteen hundred marks.

After the king's departure on his progress to the Holy Land, Longchamp, who had up to that period exhibited the greatest prudence and humility, began to display an arrogant and overbearing disposition. Without believing all the tales which are related of him by monkish historians, with whom he was no favourite, it is certain that he assumed to himself the whole authority, neglecting altogether the council appointed by the king, and superseding his coadjutor, the Bishop of Durham, and actually casting him into prison till he delivered up the castles in his portion of the kingdom.

He engrossed all the ecclesiastical patronage, and accumulated vast sums by appropriating the rents of the vacant abbeys and bishopricks to himself. He affected a royal state; and the sons of nobles not only waited on him at table, but were happy to take his relations in marriage. He never travelled without such an enormous attendance, that the churches and monasteries where he was entertained were nearly ruined by providing for him and his retinue; and if Benedictus Abbas tells truly, the bishop required rather expensive delicacies at his table. The people suffered severely from the taxes he imposed on them for the supply of the absent king; the clergy were equally oppressed; and the gentry and nobles, besides being obliged to contribute, were disgusted with his insolence and rapacity: so that it was not long before all classes were ready to welcome any opportunity to rid themselves of so tyrannous a ruler.

Earl John, the king's brother, was not backward in fomenting this dissatisfaction for the furtherance of his own ambitious views; and matters in a short time were brought to a crisis.

Longchamp having ejected Gerard de Camville from the sheriffalty of Lincolnshire, besieged the castle of Lincoln, which the sheriff refused to surrender. Earl John, by surprising the castles of Nottingham and Tickhill, obliged the regent not only to raise the siege, but to enter into certain conditions before he was allowed to resume the royal authority. Not warned by this lesson, he persisted in his violent career; and in September, 1191, seized the king's natural brother, Geoffrey, Archbishop of York, at the altar of St. Martin, at Dover, where he had taken refuge on his arrival in England contrary to the king's prohibition. The archbishop was dragged through the streets and imprisoned in the castle, whence he was not released until Longchamp, finding that the popular indignation could not be resisted,

at the end of eight days allowed him to depart. An assembly of the bishops and barons, at which the archbishop and Earl John attended, was immediately afterwards held at Reading, where a letter from King Richard, which some writers consider to have been forged, was read, appointing the Archbishop of Rouen at the head of a council of regency. Longchamp, after an ineffectual attempt at resistance, was eventually, at a council held in St. Paul's Churchyard, on October 10, 1191, condemned to resign his offices to the Archbishop of Rouen, and, fearful of personal consequences, deemed it advisable to quit the kingdom. For this purpose he proceeded to Dover, and, disguising himself in female attire, waited on the beach for the arrival of the boat that was to convey him to Calais. His awkward gait, however, and his total inability to speak the English language, caused his discovery before his escape was effected; and he was obliged to be taken to the prison of the town to save him from the insults of the populace. After some time he was permitted to depart, when he proceeded to Normandy. Here he fulminated sentence of excommunication against his adversaries, and among them, against "Master Benet, who presumed to hold the great seal contrary to the ordinances of the king and the kingdom, and his own prohibition." It would thus appear, therefore, that on his discharge the office of keeper of the seal was entrusted to this Master Benet. He afterwards ventured over to Dover, and opened a negotiation with Earl John for the restoration of his powers, but without effect; and he was compelled again to depart.

Longchamp, on hearing of the detention of King Richard, was the first to discover his prison, and to assist in his restoration to liberty. The bearer of the royal order to the council of regency for raising the tax for his redemption, he rested in his journey at the abbey of St. Edmund's Bury; where Abbot Samson would not permit mass to be sung

before him until the sentence of excommunication issued by the Bishop of London against him had been removed.

On Richard's release, although Longchamp was not restored to the chief justiciaryship, he was continued in the office of chancellor. He signed in that character the treaty of peace between England and France in July, 1198[1]; and several charters in the following year were authenticated by him. In the latter year, 5 Richard I., he was also present at Winchester when a fine was levied before the king himself.[2] There is nothing to show that he did not continue chancellor till the day of his death.

He held the sheriffalty of Essex and Hertfordshire in 1196[3]; and at the latter part of that year, he and Philip, Bishop of Durham, were sent to Rome to induce the supreme pontiff to remove the interdict which the Archbishop of Rouen had pronounced against all Normandy. He, however, never reached his destination; for, falling sick on the journey, he died at Poictiers on January 31, 1197; and was buried in the Cistercian monastery of Pina.

It is difficult, amid the conflicting opinions of historians, to form a just estimate of the character of this prelate. While some denounce him as a monster of impiety, and charge him with pride, lust, arrogance, and tyranny, others describe him as loved of God and of men, wise, amiable, generous, benign, and meek; and their relation of the incidents of his life are coloured accordingly. That he was too much elated with his prosperity, and exercised his office with too free a hand, cannot, however, be denied; but, recollecting the difficulties of his position, and the ambitious and treasonable designs of Earl John, it would be unjust entirely to condemn him; the more especially as the countenance he subsequently received

[1] Rymer's Fœdera (1816), i. 61.
[2] Fines of Richard I. and John.
[3] Fuller's Worthies.

from King Richard tends to show that the complaints against him were greatly exaggerated.

Among the acts recorded of him are his surrounding the Tower of London with a strong wall, and his attempt to encircle it with the waters of the Thames. His encouragement of bards and minstrels is spoken of with praise by his admirers; while he is represented by his enemies as introducing them for the mere purpose of extolling his own actions.[1]

LUCI, GODFREY DE, ARCHDEACON OF DERBY, BISHOP OF WINCHESTER.

JUST. 1189.

See under the Reign of Henry II.

GODFREY DE LUCI, son of Richard de Luci, the chief justiciary, completed the abbey of Lesnes, in Erith, Kent, which his father had founded, and became a canon-regular there. He was appointed one of King Henry's chaplains, and from canonries in St. Paul's, Lincoln, and York, was advanced to the deanery of St. Martin's, in London[2]; and afterwards to the archdeaconries of Derby and the East Riding of York. On September 15, 1189, 1 Richard I., he was elected Bishop of Winchester at Pipewell, and presided over that see for fifteen years.[3]

It may be presumed that, previous to his father's retirement from public life, he had shown himself a useful man, and conversant with the laws of the country, since, in the year in which that event occurred, 1179, 25 Henry II., he

[1] Godwin de Præsul. 251.; Stow, 41.; Madox's Exch. i. 22. 34. &c.; Andrews's Great Britain, i. 247.; Angl. Sac. i. 478. 632.; Lingard, iii. 333—340; Richard of Devizes, 6—59.

[2] Angl. Sac. i. 302. [3] Le Neve, 135. 285 326.

was named by the council held at Windsor, on the division of the kingdom into four parts for the administration of justice, at the head of the six justiciers to whom the northern counties were appropriated, and who, besides, were specially appointed to sit in the Curia Regis to hear the complaints of the people.[1] From this time to the end of that reign, he regularly acted as a justiciary, not only in the king's court at Westminster, but on the itinera in various counties; and his pleas in that character appear as late as 1 Richard I., the year in which he was raised to the bishoprick.[2]

Richard of Devizes says, that on obtaining the see of Winchester, he secretly paid to the king a sum of 3000*l.*, part of which he borrowed from the treasury of his church; repaying it, however, in less than three years. For this bribe, or fine, he obtained the restoration of certain manors which had been taken away from the diocese, and was made custos of the county of Hants, and of the castles of Winchester and Porchester. But the latter, on the king's departure, were seized by the chancellor, William de Longchamp, Bishop of Ely; nor were they restored till that prelate was removed from the regency of the kingdom.

During the last four years of Richard's reign, Bishop Godfrey was much engaged in his judicial duties; his name appearing frequently on the fines levied both at Westminster and on the circuits.[3] His death occurred on September 4, 1204; and his character was that of an amiable, discreet, and kind-hearted man.[4]

[1] Dugdale's Chron. Series.

[2] Ibid.; Madox's Exch. i. 113. 137. 213. 635. 737., ii. 146.; Pipe Roll, 1 Richard I., 18. 62. 80. 138. 181. 241.

[3] Fines of Richard I. and John.

[4] Richard of Devizes, 10, 11. 39. 54.; Godwin de Præsul. 217

MALUS CATULUS, ROGER.

VICE-CHANCELLOR, 1191.

MASTER ROGER MALUS CATULUS was one of the chaplains of Richard I., and is mentioned by Hoveden as his vice-chancellor in 1191, the second year of the reign. He accompanied the king on his voyage to the Holy Land, and two charters given under his hand are extant, dated on March 27 and April 3, in that year, at Messina; the former being a grant of privileges to the men of Rye and Winchelsea, and the latter a confirmation to the abbey of Stanley, in Wiltshire, of a gift of land made to it by Ralph Fitz-Stephen.[1] In both he is called "clericus noster," with no notice of his office of vice-chancellor. In the lamentable shipwreck which occurred in the following May off the island of Cyprus, he was drowned; and the king's seal, which is stated to have been suspended round his neck, was lost with him. Richard converted this accident into an expedient to raise money, by proclaiming that no grants under it should be deemed valid, and thus compelling the holders of them to pay the fines a second time, for a confirmation under the new seal.[2]

Burke, in his "Dictionary of Landed Gentry," makes him the great-grandson of Halthe Malus Catulus, son of "Catulus de Castro Catulino," in Westmoreland, and younger son of William Malchael, or Malus Catulus, of Crackenthorpe. The present family of Machell of Beverley trace their descent from his elder brother John. It is stated that in many of the early documents of this family the name is written *Malus Catulus* within the deed, and *Machell* on the seal of the same parchment.[3]

[1] Rymer's Fœd. i. 53.; Dugdale's Monast. (1846), v. 565.
[2] Madox's Exch. i. 77.
[3] Burke's Landed Gentry, nom. Machell.

MANDEVILLE, WILLIAM DE, Earl of Albemarle and Essex.

Just. Angl. 1189.

William de Mandeville was the brother of Geoffrey, Earl of Essex, already noticed as a justice itinerant in the reign of Henry II.[1]; on whose death without issue, in 1167, he succeeded to that title. He had spent the chief part of his youth with Philip, Earl of Flanders, from whom he received the honor of knighthood, and whom he afterwards assisted in his wars with the French king. On his attaining the earldom, he was welcomed with distinction by King Henry, whom he accompanied into France in 1173, as one of the generals of his army; and was not only marked for his military prowess, but was entrusted by his sovereign with many businesses of nicety and confidence.

In 1177, he joined his patron, the Earl of Flanders, in his expedition to the Holy Land; and after spending two years there with no diminution of his fame, he returned to England in 1179; distributing divers precious relics which he had collected among several churches, of which his abbey of Walden received a large share. In the following year the king gave him a valuable proof of his favour by bestowing on him the hand of Hawise, the only daughter and heiress of William le Gros, Earl of Albemarle, recently deceased; together with the property and the earldom, by which title he was afterwards usually known. During the remainder of the reign, besides being sent on an embassy to the emperor, he was employed in the various wars in France, both for King Henry and the Earl of Flanders: and the French king had good cause to regret that the one had so powerful an ally, and the other so valiant a general.

[1] See antè, p. 273.

On Henry's death, the merits of the earl were not overlooked by his successor, who shewed his favour by appointing him to bear the crown on his coronation. When Ranulph de Glanville retired shortly afterwards from the chief justiciaryship, in order to proceed to the Holy Land, King Richard appointed the earl to that important office, in conjunction with Hugh Pusar, the aged Bishop of Durham[1]: and there is no doubt that his inducement to place such an important trust in his hands, which was no less than the actual government of the realm during his absence on the crusade, was a just appreciation of his worth, and the high confidence he placed in him; inasmuch as it is nowhere recorded that he demanded, as he did of his weak associate, any pecuniary consideration for the honor. This appointment was made at the council of Pipewell, on September 15, 1189; but he was not destined long to enjoy the dignity of his new office, for two months afterwards he died at Rouen in Normandy, before Richard had commenced his progress.

Dugdale gives an account of his works of devotional benevolence to various houses, and of his sole foundation of the monastery at Stoneley, in Huntingdonshire. But he adds a blundering statement of his marriage with a second wife, Christian, daughter to Robert, Lord Fitz-Walter; who, he says, survived him, and afterwards married Raymond de Burgh: having, in a previous page, stated that his wife Hawise, *after his death*, married William de Fortibus, who, as her first husband died childless, became earl of Albemarle in her right. The earldom of Essex was obtained by Geoffrey Fitz-Peter, who had married the granddaughter of the first Earl Geoffrey's sister, Beatrix, the wife of William de Say.[2]

[1] Dugdale's Chron. Series.

[2] Dugdale's Baronage, i. 63. 204.; Lord Lyttelton's Henry II., iii. 399. 441. 449

MARESCHALL, WILLIAM, afterwards Earl of Pembroke.

Just. 1189.

William Mareschall holds a prominent place in history. He flourished in four reigns, during three of which he was high in the royal confidence, and acted with unshaken loyalty. He was the grandson of Gilbert, and the second son of John, who held the office of marshal of the court (magistratum marisc. curiæ nostræ); the former under Henry I., and the latter under Henry II.[1] By the death of his elder brother, also named John, without issue, at the end of Richard the First's reign, William became possessed of the family property, and succeeded to the office of marshal, which was confirmed to him in 1 John.[2]

He is first mentioned in 28 Henry II. as the friend of that king's eldest son, Henry, who, lamenting on his early death-bed over his rebellious conduct towards his father, selected William Mareschall to bear his cross to Jerusalem as a testimony of his repentance.

That he was a favourite also with King Henry's successor, appears by his being surety for King Richard in the beginning of his reign, that he would meet the king of France at Easter to proceed to the Holy Land[3], and by his being the first named of the council then appointed to assist the chief justiciary in governing the kingdom during the king's absence on that enterprise.[4] Richard's letters on hearing the complaints against William de Longchamp, Bishop of Ely, were directed to him and the other members.[5] He was at that time (as indeed was each of these councillors) one of the

[1] Dugdale's Baronage, i. 599.
[2] Rot. Chart. 46, 47.
[3] Roger de Wendover, iii. 12.
[4] Madox's Exch. i. 34.
[5] Roger de Wendover, iii. 49.

justiciers; having been no doubt, as a younger brother, brought up to the profession of the law; which is further shown by his being exempted, in the next year, from a payment "per libertatem sedendi ad Scaccarium,"[1] and by fines having been levied before him in 5 and 10 Richard I.[2]

King Richard, however, showed him a greater mark of favour by giving him in marriage Isabella, daughter and heir of Richard Strongbow, Earl of Pembroke, or, as it was sometimes called, Striguil (Chepstow), where the chief residence was; by which he not only acquired the title, but became possessed of all the large inheritance of the late Earl, both in England and Ireland. The lands of Earl Giffard, part of this inheritance, were divided between him and Richard de Clare, Earl of Hertford; he having the chief seat in Normandy, and Earl Richard that in England. For his moiety he paid a fine of two thousand marks to the king. He is frequently spoken of in Richard's reign without the title, which was not fully confirmed to him till 1 John, when, on the day of the coronation, he was first invested with the sword of earldom.[3] He, however, as earl, bore one of the royal sceptres at the coronation of King Richard, and his name, with the title, appears as witness to a charter granted at Rouen in 8 Richard I.[4] He held the sheriffalties of Lincoln and of Sussex during part of this reign.

On the death of Richard I., John, being then in Normandy, sent William Mareschall to England with Hubert, Archbishop of Canterbury, to pave the way for him: when they and Geoffrey Fitz-Peter, the chief justiciary, called together the nobles and others at Northampton, and induced them to to promise him their oaths of fealty.[5] During that turbulent reign he was a strenuous supporter of his sovereign; and,

[1] Madox's Exch. ii. 20.
[2] Preface to Fines of Richard I. and John.
[3] Selden's Titles of Honor, 677.
[4] Madox's Exch. i. 29.
[5] Roger de Wendover, iii. 137.

from his being witness to charters and other documents from the beginning to the end of it, seems to have been in constant attendance on the king, except when engaged in the active services confided to him. In 1201 he was with the king in Normandy, and in 1209 in Ireland, where he was left as Lord Deputy; and in 1214 he was one of those bound for the king to make compensation to the clergy, and acted for him in the council held at London, becoming surety, with the Archbishop of Canterbury and the Bishop of Ely, that the king would satisfy the barons. In the following April he was sent to the barons to know what were the laws and liberties they asked for, and was afterwards the messenger to announce the king's readiness to comply with their demands. He was accordingly present at the great day of Runnymead, when Magna Charta was signed.[1]

During John's reign he was entrusted with the sheriffalties of Gloucestershire, Sussex, and Surrey; and with the custody of the castles of Carmarthen, Cardigan, and Goher. The king was not deficient in generosity to him, rewarding him with grants of Goderich Castle in Herefordshire; of all the lands of William Martell in Somersetshire, and of the whole province of Leinster, besides several others of minor importance. The great roll of 16 John contains a singular example of the mode in which royal influence was purchased and exercised: Roger Fitz-Nicholas fined in all the lampreys he could get to have the king's request to Earl William Mareschall, that he would grant him the manor of Langeford, at ferm.[2]

In 1212, 14 John, Prince Henry had been specially committed to his care; the patent roll containing a mandate to him to do fealty to the young prince, saving his fealty to the king.[3] On this account, as well as from his high character

[1] Roger de Wendover, 283. 290. 298. 301, 302.
[2] Madox's Exch. i. 481.
[3] Rot. Pat. 95.

for wisdom and valour, he was at John's death once appointed "Rector regis et regni," and lost no time in procuring Henry's coronation at Gloucester, where he then was. All the first mandates issued in the king's name were sealed with the earl's seal, because the king then had none.

Dugdale inserts his name as chief justiciary at the beginning of this reign; but this is a mistake. He held the higher rank of guardian of the royal person and regent of the kingdom; while the office of chief justiciary, which had gradually lost much of the power originally attached to it, was manifestly filled by Hubert de Burgh, Earl of Essex, as it had been during the last years of the reign of John.

No person could have been chosen more competent to contend with the critical position in which the affairs of the kingdom were then placed. By the skill of his arrangements and the activity of his movements, he defeated the invading Prince, intercepted and destroyed the French fleet sent to his aid, and compelled him to sue for peace and abandon his enterprise; by his moderation he induced most of the discontented barons to submit to the royal authority; and by his energy in punishing those few who still resisted, he compelled the respect that was due to the sovereign power, and in less than two years restored to the kingdom, which had so long suffered from civil contentions, the blessing of internal peace.

One of his first acts was to confirm the great charter of John; introducing some improvements and omitting those clauses which either the death of the late king had rendered unnecessary, or which trenched too deeply on the royal prerogative.

Unfortunately for his country and his sovereign, this great man, who had emancipated the realm from a foreign yoke and was proceeding to secure its liberties and laws, did not long survive to enjoy the fruits of his exertions. He died in 1219, 3 Henry III., at his manor of Caversham near

Reading, and was buried on March 16, Ascension-day, in the church of the New Temple, in London, with these lines for his epitaph: —

> "Sum, quem Saturnum sibi sensit Hibernia; Solem Anglia; Mercurium Normannia; Gallia Martem."

His pious benefactions were numerous and munificent. He founded the priory of Cartmel, in Lancashire, where King Richard had given him lands; of Kilrush in Ireland, as a cell to Cartmel; of St. Augustine at Kilkenny; and for knights hospitallers at Logh-Garmon, in Wexford: besides many rich donations to other houses.

Dugdale gives him a second wife in Alice, the daughter of Baldwin de Betun, Earl of Albemarle in 5 John, an assertion which he also makes in his account of the latter earl.[1] He, however, contradicts himself in a following page by stating that an abbey which he had commenced for Cistercian monks in the land of Dowysken, in Ireland, was completed by his wife Isabel, according to the appointment of his will. The roll which Dugdale quotes shows his carelessness, and proves that Alice de Betun's husband was not the Earl, but William, his son.[2]

He left five sons, William, Richard, Gilbert, Walter, and Anselm; all as brave, but some not so loyal, as himself. They successively held the earldom, but dying all without issue, the last in December, 1246, 30 Henry III., the inheritance descended among the heirs of his five daughters: Matilda, the wife of Hugh Bigot, Earl of Norfolk, and afterwards of John de Warenne, Earl of Surrey; Joanna, the wife of Warine de Montchensy; Isabella, the wife of Gilbert de Clare, Earl of Gloucester, and afterwards of Richard, Earl of Cornwall; Sibyll, the wife of William de Ferrers, Earl of Derby; and Eva, the wife of William de Brahuse.[3]

[1] Dugdale's Baronage, i. 63. 601.
[2] Rot. Chart. 112.
[3] N. Triveti Annales, 205.

MARMION, ROBERT.

JUST. 1189.

See under the Reigns of Henry II. and John.

MURDAC, RALPH.

JUST. 1189.

See under the Reign of Henry II.

RALPH MURDAC'S name appears as one of those present in the Exchequer on an acknowledgment relative to some land being made there in 30 Henry II., 1184, immediately following that of Hugh Murdac, noticed in the last reign [1]; and it is evident that he acted as a justice itinerant in some of the subsequent years of that reign, the arrears of the debts arising on his pleas appearing on the roll of 1 Richard I., 1189–90. The same roll contains proof that he held a high place among the justices itinerant of that year also, in no less than ten counties.[2]

The sheriffalty of Derbyshire and Nottinghamshire was entrusted to him from 27 Henry I. to 1 Richard I.[3] In the latter reign he seems to have contributed some fine to the royal coffers "pro habendo amore Regis Ricardi;" an arrear of 50*l.* 6*s.* 8*d.* being charged on that account at so late a date as the roll of 11 John, in the county of Oxford.[4] He, however, died about 1 John, and the custody of his land and heir was given to William Briwer.[5]

NORFOLK, EARL OF. *See* ROGER BIGOT.

NORTHAMPTON, HENRY DE.

JUST. ITIN. 1189.

See under the Reign of John.

[1] Madox's Exch. i. 215.
[2] Pipe Roll, 1 Richard I., 35. 45. 69. 103. 122. 160. 194.
[3] Fuller's Worthies.
[4] Madox's Exch. i. 474.
[5] Rot. de Liberate, 3 John, 13.

PANTULF, HUGH.

JUST. ITIN. 1189.

HUGH PANTULF was the second son of Hugh, the grandson of William Pantulf, a renowned Norman knight, who, besides large possessions in Normandy, is recorded in Domesday Book as holding twenty-nine lordships in Shropshire, of which Wemme was the chief. This Hugh held the sheriffalty of that county from 26 Henry II., 1180, to 1 Richard I., 1189–90[1]; and in the latter year he travelled the counties of Salop, Gloucester, and Stafford as one of the justices itinerant.[2]

He must have lived to a good old age, since it was not till 9 Henry III., 1224–5, that his son William, being charged with 100*l.* relief as a baron, for the land which his father held of the king *in capite*, was excused on showing that he held on that tenure only five knights' fees of the land late of Robert de Belesme; and his fine was accordingly reduced to 25*l.* thereon.[3] This William was also a justice itinerant in the reign of Henry III.[4]

PATESHULL, SIMON DE.

JUST. ITIN. 1194.

See under the Reign of John.

PAUPER, HERBERT, BISHOP OF SALISBURY.

JUST. 1194.

HERBERT, surnamed Pauper, enjoyed the Archdeaconry of Canterbury in 1175, and in 1185 and the following years he was one of the custodes of the see of Salisbury during its

[1] Fuller's Worthies.
[2] Pipe Roll, 1 Richard I., 91. 95. 168. 248.
[3] Madox's Exch. i. 318. [4] Dugdale's Baronage, i. 434.

vacancy[1], which lasted till 1188. Hubert Walter was then appointed bishop, on whose subsequent elevation to Canterbury, the bishoprick of Salisbury was given to Herbert, who was elected in May, 1194, 5 Richard I. From that time he acted regularly as a justicier in the Curia Regis, his name appearing to several fines from the sixth to the ninth year of the reign inclusive.[2] In that of John he is not mentioned in that character; and nothing memorable is recorded of him during the remainder of his life, which terminated on May 9, 1217. He was buried at Wilton.[3]

PEC, RICHARD DE.

JUST. ITIN. 1195.

See under the Reign of Henry II.

WHETHER this Richard de Pec, or Pech, was connected with his namesake, about this time Bishop of Coventry, or with the Peches, who were then Barons of Brunne, in Cambridgeshire, I do not know. He was among the justices itinerant selected by the king when the council of Windsor, in 1179, 25 Henry II., divided the kingdom into four circuits.[4] In 27 Henry II. he was sent with the constable of Chester to Ireland, to take away the government from Hugh de Lacy, who had offended the king by marrying a daughter of Roderick, King of Connaught.[5]

In 3 Richard I. he had the custody of the castle of Bolsover, and a payment to him of 40*l.* on that account is recorded on the roll.[6] He appears again in the capacity of

[1] Madox's Exch. i. 311. 634.
[2] Pref. to Fines of Richard I. and John.
[3] Godwin de Præsul. 342.; Le Neve, 11. 257.
[4] Dugdale's Chron. Series; Madox's Exch. i. 137.
[5] Lord Lyttelton's Henry II., iii. 351.
[6] Madox's Exch. ii. 220.

a justice itinerant in 7 Richard I., 1195–6, fixing the tallage in Gloucestershire.[1]

He married Matilda, the widow of Robert Grimbald (mentioned under the reign of Henry II.), and daughter and heir of Paganus de Hocton [2], and his property was situate in the counties of Cambridge, Huntingdon, and Lincoln.[3]

PEMBROKE, EARL OF. *See* WILLIAM MARESCHALL.

PEVERELL, HUGH.

JUST. 1194.

THE name of Hugh Peverell appears on a fine of 6 Richard I., 1194–5, as one of the justiciers before whom it was levied at Westminster[4]; and in 8 Richard I. he was at the head of the justices itinerant who fixed the tallage in the counties of Essex and Hertford.[5]

That he held a distinct official appointment in the Exchequer appears from the following entries on the rolls. In 5 Richard I. an allowance is made to Thomas his clerk of two marks and a half for a horse to carry to Gloucester the rolls and summonses which Hugh Peverell and he had written; and in 8 Richard I., Thomas was allowed two shillings and sixpence as his clerk for six days employed in writing the summonses for the aids, hydages, and tallages over England.[6]

He was probably a scion of the noble house of Peverell, which commenced in the person of Ranulph Peverell, who married a concubine of William the Conqueror; and was perhaps that Hugh Peverell who, in John's reign, was seated

[1] Madox's Exch. i. 704. [2] Dugdale's Monast. vi. 423 n.
[3] Madox's Exch. i. 591.; Rot. Cancell. 3 John, 172.
[4] Pref. to Fines of Richard I. and John.
[5] Madox's Exch. i. 704. [6] Ibid. ii. 274, 275.

at Sanford in Devonshire [1]; or the Hugh Peverell of Ermington, in the same county, whose lands were forfeited for his adherence to the barons, but afterwards restored on his submission to King Henry III.[2]; or more probably the father of one of them. Both of them in the eleventh year of the latter reign were appointed justices in Devonshire to take a particular assize of novel disseisin [3], but were not at that time regular justiciers nor justices itinerant.

POICTIERS, PHILIP OF, BISHOP OF DURHAM.

JUST. 1198.

PHILIP OF POICTIERS was a confidential servant of King Richard, and was employed by him as his clerk or chaplain in the expedition to Palestine. After the truce with Saladin was made, he was one of the few whom the king selected as his companions on his return. Soon after Richard's redemption, he was rewarded with the bishoprick of Durham, to which he was elected in December, 1195. He was not consecrated, however, till May 12, 1197, when that ceremony was performed by Pope Celestine at Rome, whither he had been sent with William de Longchamp, Bishop of Ely (who died during the journey), in order to procure the pontiff's interference in removing the interdict which Walter de Constantiis, the Archbishop of Rouen, had laid on Normandy. His representations succeeded in inducing the pope to promote an agreement between the king and the archbishop, and in restoring the afflicted duchy to the rites of the church.

On his return to England, he took his place as a justicier in the Curia Regis, having probably been educated to the

[1] Rot. Claus. 16 John, i. 200.
[2] Ibid. i. 283. 307.
[3] Ibid. ii. 163.

legal profession, and filled some office in the court before he was selected as clerk to the king. His name appears to fines levied at Westminster in 10 Richard I., 1198–9[1], but in no subsequent year.

He undertook a pilgrimage to Compostella in 1200; and on his return home the next year he borrowed two hundred marks from the king, for which he accounted on the roll of 3 John.[2] He is stated to have been one of the chief advisers of that monarch in disregarding the pope's anathemas; which seems little to accord with the above act of devotion, or with his having fined a thousand pounds the year before his death for having the king's good will.[3] The statement, however, whether true or false, drew the papal thunder on his own head, and the sentence of excommunication was pronounced against him. As this was not removed before his death, which occurred in 1208, his body was buried outside the church, without the performance of any funeral rites.[4]

POTERNA, JAMES DE.

JUST. 1198.

See under the Reigns of John and Henry III.

PUSAR, HUGH, BISHOP OF DURHAM.

JUST. ANGL. 1189. JUST. 1193.

HUGH PUSAR, or Pudsey (de Puteaco), was the son of a sister of King Stephen, in whose reign he became treasurer of York, archdeacon of Winchester, and ultimately bishop of Durham.[5] To this last dignity he was elected on January 22, 1153, but was refused consecration by the archbishop of

[1] Pref. to Fines of Richard I. and John.
[2] Rot. Cancell. 3 John. [3] Madox's Exch. i. 408.
[4] Godwin de Præsul. 738.; Rog. de Wendover, iii. 66. 118. 220. 237.
[5] Le Neve, 289. 319. 347.

York, as well because of his age, which did not exceed twenty-five years, as on account of the irregularity of his life, evidenced by his having three illegitimate sons by as many mothers. The pope, to whom he applied, listened to the representations of the archbishop: but the death of both put an end to the objections, and the new bishop obtained consecration from the succeeding pontiff, on December 20, 1153. His conduct in his see was correct and praiseworthy, and his memory will last while the beautiful building called the Galilee, which he added to the cathedral, exists. His munificence was not confined to the erection of this splendid structure, but extended throughout his diocese in many useful and pious works. Among others, he built the church at Darlington, and the great mansion there; he founded a priory at Finchley; and two hospitals, one at Sherborne, near Durham, and the other at Allerton; and by purchase from King Richard, he restored the manor of Sadburgh to his church. He was present at the council of Tours in 1163, and at that of Lateran in 1179.

In the early part of his career he mixed little in politics; but in 1170 he assisted at the coronation of Prince Henry, the son of Henry II.; an act which, at the instigation of Becket, occasioned his temporary suspension by Pope Alexander from his episcopal duties. When this young prince and his brothers rebelled against their father, in 1173, the bishop found himself suspected of adhering to their party, and deemed it prudent to deliver into the king's hands his castles of Durham, Norham, and Alverton. The latter was totally destroyed, but the two former were some time after restored to the prelate, on the payment of a fine of two thousand marks: while the king, as a proof of his recovered favour, granted to his son Henry the royal manor of Wickton. A few years afterwards he got into a new disgrace with King Henry by a somewhat pert answer he sent

to him. Roger, Archbishop of York, had made a verbal will, which Henry declared to be invalid, and demanded of Pusar, who was one of the executors, the restoration of three hundred marks, which he had received of the property. The bishop replied that he had distributed them, as directed by the deceased, among the poor, the blind, and the lame, from whom he could not collect them again. Henry resented this by depriving him of his palace at Durham till the money was returned. The bishop, however, was employed by the king in 1188, in collecting in Scotland the disme he had imposed for his purposed expedition to the Holy Land.

On his attaining the bishoprick of Durham, Godric, a pious hermit, had foretold to him that for seven years before his death he would be afflicted with blindness. When he was dying, without having suffered this calamity, he referred to it as a false prophecy: but his biographers have applied the prediction to the loss, not of his ocular, but of his mental vision, and discover its fulfilment in the follies of his last years. When Richard succeeded to the throne, and, for the purpose of raising funds to carry on the Holy War, exposed offices, honours, and estates to sale, the bishop, urged by ambitious promptings, was induced to give a large sum for the enjoyment, during the short remains of his life, of the earldom of Northumberland. Even the king, though benefiting by the infatuation, could not refrain from a sneer; remarking at his investiture upon his cleverness in thus being able to make a young earl out of an old bishop. At the same time, and for a further consideration, he appointed him, in conjunction with William, Earl of Albemarle, chief justiciary of the kingdom: associating with them five others as a council for the government of the realm during his absence.[1] The earl of Albemarle, however, dying two months

[1] Dugdale's Chron. Series; Madox's Exch. i. 21. 34.

afterwards, and before the king's departure, the chancellor, William de Longchamp, Bishop of Ely, was named in his stead. The councillors first mentioned were William Mareschall, Geoffrey Fitz-Peter, William Briwer, Robert de Witefeld, and Roger Fitz-Reinfrid; but on the second appointment, Hugh Bardolf was substituted for the two last. The government of England, north of the Trent, was entrusted to the bishop of Durham; while the bishop of Ely's authority was limited to the south of that river. As might naturally be expected, however, the sole power was soon usurped by the latter, who, not content with this, deprived his weak coadjutor of his newly-acquired earldom, and seized his person till he gave hostages for the delivery of the king's castles committed to his charge. The king's commands for his reinstatement were disregarded, nor were the castles restored to him till the fall of the arrogant chancellor. Pusar was not, however, replaced in the office of chief justiciary, which was then given to Walter, Archbishop of Rouen.

On the roll of 1 Richard I. the bishop's pleas appear in the counties of York, Cumberland, and Northumberland[1], which were all within his district; and he was one of the justiciers before whom a fine was levied in 5 Richard I.[2], being the year in which the king returned from his captivity. In the next year, March 3, 1195, he died; having presided over his see above forty-two years.

One of his sons was Archdeacon of Durham.[3]

[1] Pipe Roll, 1 Richard I., 84. 139. 243.

[2] Pref. to Fines of Richard I. and John.

[3] Godwin de Præsul. 735.; Lord Lyttelton's Henry II., iii. 152. 290. 363. Richard of Devizes, 8. 11. 39.; Roger de Wendover, ii. 298., iii. 9—15.

RALPH, Archdeacon of Colchester.

Just. 1189.

See under the Reign of Henry II.

Ralph, Archdeacon of Colchester, was one of the justiciers in the latter part of the reign of Henry II. He was present when fines were levied in the Curia Regis at Canterbury, in the thirty-third year, 1187, and at Oxford in the thirty-fifth.[1] The pipe roll of 1 Richard I. records his pleas in various counties, some of which are for that and some for previous years. In that roll also he and Richard, Archdeacon of Coventry, account for the proceeds of the bishoprick of London, of which they were the custodes while it was in the king's hands.[2] He died in 1190.[3]

RALPH, Archdeacon of Hereford.

Just. 1195.

See under the Reign of Henry II.

Le Neve says that he thinks that the surname of Ralph, who was Archdeacon of Hereford at this time, was Foliot, and that he held that dignity as early as 1163 and as late as 1197.[4] He appears to have been a justicier for several of the latter years, inasmuch as fines were acknowledged before him in 33 Henry II., 1188; and from the 7th to the 9th years of Richard I., 1195–7.[5]

RANULPH, Treasurer of Salisbury.

Just. Itin. 1198.

Ranulph succeeded to the treasurership of the church of Salisbury when his predecessor Savaricus Fitz-Geldelin was

[1] Pref. to Fines of Richard I. and John.
[2] Pipe Roll, 1 Richard I. and John, 11. 25. 34. 109. 119. 191. 209. 236.
[3] Le Neve, 195. [4] Ibid. 118.
[5] Fines of Richard I. and John.

elected Bishop of Bath and Wells, in 1192.[1] He acted as a justice itinerant in 10 Richard I., 1198–9, making amercements in Essex and Hertfordshire, and fixing the tallage in Surrey.[2]

RICHMOND, ARCHDEACONS OF. *See* WILLIAM DE CHANVILLE, EUSTACE, ROGER DE ST. EDMUND.

RIDEWARE, WILLIAM DE.

JUST. ITIN. 1198.

THE only occurrence of this name is as one of the justices itinerant with William Briwer and Simon Basset, fixing the tallage for the counties of Nottingham and Derby in 9 Richard I., 1197–8[3]; except that in 1 John he is one of the pledges for the payment of a fine to the king in Northamptonshire.[4]

ROCELINE.

VICE-CHANCELLOR, 1198.

NO former list mentions Roceline as a vice-chancellor to Richard I.; but there are three royal charters in the Monasticon given under the hand of "Magistri Rocelini, tunc agentis vices Cancellarii nostri," all dated at Rupem Angeli, in 10 Richard I.: one on November 11, 1198, to the abbey of Warden, in Bedfordshire; another on December 9, 1198, to the abbey of Revesby, in Lincolnshire; and the third on February 3, 1199, to the abbey of Titley, in Essex.[5]

ROCHESTER, BISHOP OF. *See* GILBERT DE GLANVILLE.

[1] Le Neve, 270.
[2] Madox's Exch. i. 733.
[3] Madox's Exch. i. *565.* 733.
[4] Rot. de Oblatis, 1 John, 3.
[5] Dugdale's Monast. (1846), v. 372. *456. 625.*

ROS, PETER DE.

Just. Itin. 1189.

It is not improbable that Peter de Ros was one of the younger brothers of Everard de Ros, the grandson of that Peter who assumed the surname of Ros from his lordship so called in Holderness, in Yorkshire, and of whom the present Baroness de Roos is a lineal descendant.

All that appears of this Peter is that he was one of the justices itinerant in the county of Cumberland in 1 Richard I., 1189–90[1]; and that, in the ninth year of that reign, he, with several associates, fixed the tallage in the same county.[2]

ROUEN, Archbishop of. *See* Walter de Constantius.

ST. EDMUND, ROGER DE, afterwards Archdeacon of Richmond.

Just. Itin. 1197.

The last of the five justices itinerant who fixed the tallage for Norfolk and Suffolk in 9 Richard I., 1197–8, is Magister Roger de St. Edmund[3], who, being a clergyman named from that town in Suffolk, was, according to the common practice of the time, added to the ordinary justices for the performance of this duty in his own neighbourhood. He had been previously in the king's service, having been employed in 1194 to collect the aid for the wages of the army appointed to meet King Richard at Tubœuf, in Normandy.

In 10 Richard I. he was appointed by the king Archdeacon of Richmond, and was witness in that character to a charter dated December 19, 1198. The archbishop had like-

[1] Pipe Roll, 1 Richard I., 139.
[2] Madox's Exch. i. 704.
[3] Madox's Exch. i. 705.
[4] Rot. Scacc. Norm.; Observations, I. cli.

wise nominated one Honorius to the same office; and each party paid three hundred marks to King John for the support of their respective rights.[1] Roger, however, triumphed; and it would appear that he did so by getting the king to come to his house at Essingewald, and making him a present of two palfreys.[2] He certainly obtained the royal charter of confirmation, dated on March 2, 1201, 2 John[3]; the dispute having been made up by the mediation of the chapter. Le Neve says that he was succeeded by Richard de Marisco, who held the office in 1213[4]; but from an entry on the close roll of 9 John, 1208, it would seem that Honorius had then superseded or succeeded Roger, as he is therein called the archdeacon.[5]

ST. JACOBO, STEPHEN DE.

JUST. 1193.

THE only mention I find of this name is as a justicier in a fine levied at Westminster, either in the fourth or the fifth year of Richard's reign; probably in the former, because Walter, Archbishop of Rouen, who stands the first of those present, had ceased to be chief justiciary before 5 Richard I.[6]

ST. MARIÆ ECCLESIA, WILLIAM DE, DEAN OF ST. MARTIN'S, BISHOP OF LONDON.

JUST. 1194.

WILLIAM DE SANCTÆ MARIÆ ECCLESIA, or St. Mère Eglise, so called from a town of that name in Normandy, held some office in the Exchequer in 1 Richard I., 1189–90, he and Hugh Bardolf then attesting some accounts of Henry

[1] Madox's Exch. i. 515.
[2] Rot. de Oblatis, 2 John, 119.
[3] Madox's Exch. i. 515.
[4] Le Neve, 324.
[5] Rot. Claus. 9 John, i. 154.
[6] Fines of Richard I. and John.

de Cornhill, the Sheriff of London.[1] He is stated to have acted as secretary to King Richard, and appears to have been quickly advanced in ecclesiastical and civil preferment. He held the living of Harewood in Yorkshire on the presentation of William de Courcy[2]; and successively became a canon of York and of St. Paul's, and dean of the College of St. Martins-le-Grand in London. He was appointed Sheriff of Surrey in 5 Richard I., and continued so for two years. In 6 Richard I. he paid five hundred marks for the custody of the heir of Robert, the younger son of Robert Fitz-Harding, with all his inheritance, and the power of marrying him to one of his kinswomen[3]; and he had the charge of the abbey of Glastonbury, the honor of Wallingford, and various other lands in the king's hands.[4] By the Norman Roll of 1195, it appears that a pension of 35*l.* 12*s.* had been granted for his and his mother's lives out of the manor of St. Mère Eglise.[5]

From the 5th to the 10th year of Richard I. his name frequently appears as one of the justiciers before whom fines were levied[6]; and in the latter year he was promoted to the bishoprick of London as the successor of Richard Fitz-Nigel, but was not consecrated till May, 1199, about two months after King Richard's death.

He was one of the bishops who conveyed the pope's remonstrance to King John in 1208, and who, on his continued resistance, placed the kingdom under an interdict. Two years afterwards he pronounced the sentence of excommunication against the king, which was not removed till the year 1213. He was obliged to fly the kingdom and to remain an

[1] Pipe Roll, 1 Richard I., 11.
[2] Archæol. Inst. Proceedings, 1846; Holy Trinity Priory, York, 47 n.
[3] Ibid. 59, 60.
[4] Rot. Cancell. 3 John, 6. &c.
[5] Rot. Scacc. Norm., Observations, I. clxxvi.
[6] Pref. to Fines of Richard I. and John.

exile till King John had made his peace with the pope and received absolution. In the meantime his castle at Stortford, which William the Conqueror had given to the see, was entirely demolished. After his return to England he was present at the granting of Magna Charta, in 1215.

When he had presided over his see for twenty-two years, he retired from its duties by a voluntary abdication on January 26, 1221; and after living in seclusion for little more than three years, he died at St. Osyth on March 27, 1224.[1]

ST. MARTIN, RALPH DE.

JUST. ITIN. 1198.

IN 10 Richard I., 1198–9, Magister R. de St. Martin is named as one of the justices itinerant with Stephen de Turneham, and Ranulph, the treasurer of Salisbury, fixing the tallage for the county of Surrey; and in the same year the two latter "et socii" (probably including R. de St. Martin) are recorded as making amercements in Essex and Hertfordshire.[2] Ralph de Martin, who, in 31 Henry II., 1185, was one of the custodes of the see of Salisbury, then in the king's hands[3], was no doubt the same person, and was probably so entrusted in consequence of holding some office in the Exchequer.

ST. MARTIN'S, DEAN OF. *See* WILLIAM DE ST. MARIÆ ECCLESIA.
SALISBURY, BISHOP OF. *See* HERBERT PAUPER.
SALISBURY, DEAN OF. *See* EUSTACE.
SALISBURY, TREASURER OF. *See* RANULPH.

[1] Godwin de Præsul. 179.; Le Neve, 177.; Fuller's Worthies, Surrey; Roger de Wendover, iii. 220. 222. 228. 260. 302.
[2] Madox's Exch. i. 565. 733. [3] Ibid. i. 311.

STIKESWALD, ROGER DE.

JUST. ITIN. 1196.

ROGER DE STIKESWALD, probably so called from belonging to a place of that name in Lincolnshire, where there was a Cistercian nunnery, was the last-named of five justices itinerant who fixed the tallage for that county in 8 Richard I., 1196–7.[1] He was alive in 18 John, and had a grant during pleasure of the land of Osbert de Bobi, "qui est cum inimicis nostris."[2]

STUTEVILLE, WILLIAM DE.

JUST. ITIN. 1189.

WILLIAM DE STUTEVILLE was the son and successor of the third Baron Robert de Stuteville, already mentioned under the reign of Henry II.[3] In 1174, the twentieth year of that reign, William was made governor of Topclive Castle, in Yorkshire, and three years afterwards governor of Roxburgh Castle, in Scotland.

In the first year of Richard I., 1189–90, he was among the justices itinerant in Yorkshire, the head of them being Hugh, Bishop of Durham, then one of the chief justiciaries[4]; and in the next year he was Sheriff of Northumberland. Although during the king's absence he seems to have sided with Prince John, he joined King Richard after his return from captivity in his expedition to Normandy, being excused his scutage in Yorkshire on that account, and was appointed one of the commissioners to determine the controversy between the Archbishop of York and the canons of his church; and also one of the custodes of that county over the archbishop, then sheriff.[5]

[1] Madox's Exch. i. 704.
[2] Rot. Claus. 18 John, i. 290.
[3] See p. 308.
[4] Pipe Roll, 1 Richard I., 34.
[5] Madox's Exch. i. 33.

On the accession of John, that king rewarded his former adherence to him with many favours; not, of course forgetting the imposition of a considerable fine in the first instance. He made him Sheriff of Yorkshire, Northumberland, Cumberland, and Westmorland; gave him the custody of all the castles therein; and granted him charters for fairs and markets on several of his manors. William also obtained a grant of the lordships of Knaresborough and Boroughbridge; with a variety of other privileges and advantages, among which he no doubt considered the honour of entertaining his sovereign, on one of his progresses, at his house at Cotingham, in Yorkshire. Royal favours in those times, however, were seldom granted without a pecuniary equivalent; and we accordingly find on the rolls large fines imposed, or rather, perhaps, considerable payments made for some of these honours.[1]

He died in 5 John, leaving by his wife, Berta, the niece of Ranulph de Glanville, the chief justiciary, two sons, Robert and Nicholas, for the wardship of whom the Archbishop of Canterbury paid no less a sum than four thousand marks.[2] The elder of these died the following year without issue; and the younger in 17 Henry III., leaving only daughters. None of the collaterals being subsequently summoned to parliament, the family ceased to be barons of the realm.[3] Several of the descendants, however, were very illustrious both in France and England. Adrienne d'Estouteville, heiress of the French line, was married in 1534 to Francis de Bourbon, a peer of the blood royal, whose son was created "duc et pair" under the title of Duc d'Estouteville; whilst Johanna, heiress of the eldest branch of England, was great-grandmother of Joan, the fair maid of Kent.[4]

[1] Rot. de Oblatis, 1 John, 55. 68. 109.; Rot. Chart. John, 12. 54. 61. 101. 107.
[2] Rot. de Liberate, 5 John, 48. [3] Dugdale's Baronage, i. 455.
[4] Rev. J. Isaacson's Notices of the Family of Stuteville, of Dalham Hall, Suffolk; in Transactions of British Archæological Association at Winchester, 1845.

SUTHILL, JOHN, Abbot of Hyde.

Just. Itin. 1195.

The justices itinerant in Dorsetshire in 7 Richard I., 1195–6, were the Abbot of Hyde, Richard Barre, Oger Fitz-Oger, and their companions.[1] The abbey of Hyde was situated near Winchester, and John Suthill was then abbot, having been elected in 1181. In 1185 he went to Rome to bring the pall for Baldwin, the new Archbishop of Canterbury. The roll of 5 John, 1203–4, contains an entry of his paying a fine of thirty marks for the king's letters of request to the Archbishop of Canterbury to remove certain monks who opposed him.[2] Browne Willis states that he died in 1222, 6 Henry III.[3]

TAUNTON, Archdeacon of. *See* William de Wrotham.

TORNOURA, ADAM DE.

Just. Itin. 1191.

The only occurrence of this name is as one of four justices itinerant who, in 3 Richard I., 1191–2, imposed a fine of forty shillings on the hundred of Edelmeton [Edmonton] for a murder, and for not appearing on the first summons.[4]

TURNHAM, STEPHEN DE.

Just. 1198.

See under the Reign of John.

[1] Madox's Exch. i. 502.
[2] Ibid. i. 480.
[3] B. Willis's Mitred Abbeys, 19.; Dugdale's Monast. (1846), ii. 431.
[4] Madox's Exch. i. 544.

VAVASOUR, WILLIAM LE.

JUST. ITIN. 1189.

See under the Reign of Henry II.

DUGDALE, on the authority of the Worksop Register, inserts William le Vavasour as a justice itinerant in 34 Henry II., 1188[1]; and in the roll of the previous year he appears with Godfrey de Luci and Josceline, the Archdeacon of Chichester, as setting the assize in the counties of Lincoln and York.[2]

In 1 Richard I., his pleas are recorded in the northern counties in association with Hugh, Bishop of Durham, one of the chief justiciaries.[3] During the vacancy of the archbishoprick of York, he was one of the custodes of its rents and manors.[4]

His own property was at Haslewood, in that county. His father was Mauger le Vavasour, who gave a mill at Hunsflete, and other property, to the monks of Sallcey; and his son Robert was the grandfather of William le Vavasour, a justice itinerant under Edward I., by whom he was summoned to parliament.[5]

VERE, WILLIAM DE, BISHOP OF HEREFORD.

JUST. ITIN. 1189. JUST. 1195.

WILLIAM DE VERE was a son of Alberic de Vere, the third of that name, Earl of Oxford. In 23 Henry II., 1177, he was engaged with Walter de Gant in building the church at Waltham, and they had 40*l.* allowed to them towards the expenses.[6] He was raised to the bishoprick of Hereford, and consecrated August 10, 1186, 32 Henry II., and presided there for thirteen years.

[1] Dugdale's Chron. Series.
[2] Madox's Exch. i. 635. 713.
[3] Pipe Roll, 1 Richard I., 139.
[4] Madox's Exch. i. 309.
[5] Burke's Peerage, 1006.
[6] Madox's Exch. i. 226.

His pleas as a justice itinerant in the counties of Buckingham and Bedford, Lincoln and Derby, appear on the roll of 1 Richard I., 1189; but they seem to refer to a former year.[1] He acted in the same capacity in 7 Richard I., 1195–6, imposing fines in Staffordshire, and assessing tallages in Gloucestershire.[2] In the latter year, also, fines were levied before him as a justicier.[3] He died on December 24, 1199, his father being yet alive, and was buried in his own cathedral.[4]

WALTER, HUBERT, Archbishop of Canterbury.

Just. Angl. 1193.

See under the Reigns of Henry II. and John.

WALTER, THEOBALD.

Just. Itin. 1197.

Theobald Walter was one of the four brothers of Hubert Walter, Archbishop of Canterbury. They were the sons of Hervey Walter, whose lordships lay in Norfolk and Suffolk, by his wife Maud, the daughter of Theobald de Valoines, and the sister of Berta, the wife of Ranulph de Glanville, the chief justiciary.

King Richard, in the first year of his reign, granted to Theobald in fee the lordship of Preston, in Lancashire, with the whole wapentake and forest of Amundernesse, to hold by three knights' fees. He became sheriff of that county in 5 Richard I., and so continued till 1 John. In 9 Richard I., 1197–8, he was one of the justices itinerant, accompanying Geoffrey Fitz-Peter when they set the tallage in Colchester.[5]

In 5 John he paid a fine of two palfreys for licence to go

[1] Pipe Roll, 1 Richard I., 32. 58. 156.
[2] Madox's Exch. i. 546. 703.
[3] Pref. to Fines of Richard I. and John.
[4] Godwin de Præsul. 484.
[5] Madox's Exch. i. 733.

to Ireland, where he held the office of chief butler, and where he possessed large property. He founded two abbeys in that kingdom; that of Wotheny in Limerick, and that of Nenath in Tipperary; besides the monastery of Arkelo. In England, also, he founded an abbey at Cockersand, in Lancashire, for canons-regular of the order of St. Augustin.

He died in 9 John; and his widow, Maud, the daughter of Robert le Vavasour[1], a few years afterwards married Fulke Fitz-Warren. His son, Theobald, assumed the name of Boteler, from his office, and was the progenitor of the noble family of that name, the head of which is the present of Marquess of Ormond.[2]

WARENNE, WILLIAM DE.

JUST. ITIN. 1194. JUST. 1196.

See under the Reign of John.

WARINE, PRIOR OF LOCHES.

VICE-CHANCELLOR, 1198.

THE only mention that I have discovered of "Magister Guarinus," prior of Loches, in Touraine, is that his authentication appears to a royal charter to the monastery of Bonport, dated at Bellum Castrum de Rupe, on February 28, 1198, 9 Richard I., with the words "tunc agentis vicem Cancellarii" added to his name.[3] He probably died soon after, as Peter de Rupibus is called Prior of Loches in a charter dated July 30, 1199, 1 John.[4]

[1] Rot. Pat. 9 John, 74.
[2] Dugdale's Baronage, i. 633.; Nicolas's Synopsis of the Peerage.
[3] Dugdale's Monast. (1846), vi. 1110.; Neustria Pia. 897.
[4] Rot. Chart. 1 John, 10. 34.

WELLEFORD, RALPH DE.

Just. 1199.

See under the Reign of John.

WICHINTON, HENRY DE.

Just. 1198.

See under the Reign of John.

WINCHESTER, Bishop of. *See* Godfrey de Luci.

WITEFELD, ROBERT DE.

Just. 1189.

See under the Reign of Henry II.

Robert de Witefeld was a justicier appointed by the great council held at Windsor in 25 Henry II., 1179, to act in one of the four divisions into which the kingdom was then arranged for the administration of justice. His circuit comprehended the counties of Hants, Wilts, Gloucester, Dorset, Somerset, Devon, Cornwall, Berks, and Oxford.[1] His presence in the Curia Regis when fines were taken is also noticed in the 30th, 33d, and 35th Henry II.[2]

Although the entry on the roll of 1 Richard I., of his being one of the justiciers who fixed the tallage for Kent, probably refers to a former year[3], there is no doubt that he was then in office, as he, with other judges, was associated by King Richard in the first year of his reign to aid the chief justiciaries in the government of the kingdom during his absence[4]; and his name appears as witness to a final concord in 3 Richard I.

[1] Dugdale's Chron. Series.
[2] Pref. to Fines of Richard I. and John.
[3] Pipe Roll, 1 Richard I., 236.
[4] Madox's Exch. i. 34.
[5] Introd. to Rot. Curiæ Regis, cvii.

There are two notices of his pleas among those of the reign of King John; one in the first year, and the other without date: but they apparently refer to the previous reign.[1]

He was Sheriff of the county of Gloucester in the 29th and 30th Henry II.[2]

WROTHAM, WILLIAM DE, afterwards ARCHDEACON OF TAUNTON.

JUST. 1199.

See under the Reign of John.

[1] Abbrev. Placit. 25. 69.

[2] Fuller's Worthies, Gloucester.

INDEX

TO THE FIRST VOLUME.

*** *The names of the Judges whose Lives are given in this Volume are printed in* SMALL CAPITALS.

ABRINCIS, WILLIAM DE. Hen. II. 184.
ACHARD, WILLIAM. Rich. I. 337.
Albemarle, Earl of. *See* William de Mandeville.
ALBINO-BRITO, WILLIAM DE. Hen. I. 96.
Albini, William de, of Belvoir Castle. Rich. I. 337.
ALENÇON, JOHN DE, Archdeacon of Lisieux. Rich. I. 337.
ALEXANDER, Bishop of Lincoln. Steph. 147.
ARDEN, RALPH DE. Rich. I. 338.
ARFASTUS, Bishop of Helmham and Thetford. Will. I. 27.
Argentine, Reginald de. Rich. I. 340.
Arnulph. *See* Ranulph.
Arundel, Roger. Rich. I. 340.
AUBERVILLE, WILLIAM DE. Hen. II. 185.
Avereuches. *See* William de Abrincis.
Aula Regis. *See* Curia Regis.
AYMER, Abbot of Chertsey. Hen. II. 186.

BANASTRE, ALARD. Hen. II. 187.
Bangor, Bishop of. *See* Guy Rufus.
Bardolf, Hugh. Hen. II. 188.; Rich. I. 340.
Barre, Richard, Archdeacon of Ely. Rich. I. 340.
Barons of Exchequer, 22. Privileges of, 336. Justicier and Baron equivalent terms, 94. 334.
BASSET, RALPH. Hen. I. 98.
BASSET, RICHARD. Hen. I. 101.
BASSET, SIMON. Rich. I. 340.
BASSET, THOMAS. Hen. II. 188.
BASSET, WILLIAM. Hen. II. 189.
BASTARD, WILLIAM. Hen. II. 190.
Bath, Bishop of. *See* Godfrey.
Bayeux, Bishop of. *See* Odo.
Beaufo. *See* William Welson.
BEAUMONT, ROBERT DE, Earl of Leicester. Hen. II. 190.
BECKET, THOMAS, provost of Beverley, Archdeacon, and then Archbishop of Canterbury. Hen. II. 192.
Belet, Michael. Hen. II. 218.; Rich. I. 341.
Belfagus, or Bellofago. *See* William Welson.
Bello-monte. *See* Beaumont.
BENDINGS, WILLIAM DE. Hen. II. 218.
Benefacta. *See* Richard Fitz-Gilbert.
BENET. Rich. I. 341.
BERKELEY, MAURICE DE. Rich. I. 341.
Berks, Archdeacon of. *See* Geoffrey.
Beverley, Provosts of. *See* Robert de Gant, Thomas Becket.
BIDUN, WALTER DE. Hen. II. 219.
Bigot, Roger, 2d Earl of Norfolk. Rich. I. 343.
BLOET, ROBERT, Bishop of Lincoln. Will. II. 58.; Hen. I. 103.
BLUNDEVIL, RANULPH, Earl of Chester. Rich. I. 343.
Bobi, Hugh de. Rich. I. 344.
Bocland, Geoffrey de. Rich. I. 344.
BOCLAND, HUGH DE. Hen. I. 107.
BOCLAND, HUGH DE. Hen. II. 219.
BOTELER, ALEXANDER LE. Hen. II. 220.
BRAIOSA, WILLIAM DE. Hen. II. 221; Rich. I. 344.
BRITO, RALPH. Hen. II. 221.
BRITO, RICHARD, Archdeacon of Coventry. Rich. I. 347.
Briwer, William. Hen. II. 222; Rich. I. 348.

Canterbury, Archbishops of. *See* Lanfranc, Theobald, Thomas Becket, Hubert Walter.
Canterbury, Archdeacons of. *See* Thomas Becket, Geoffrey Ridel, Henry de Chastillon.
CARILEFO, WILLIAM DE, Bishop of Durham. Will. II. 58.
Chancellor, his office and duty, 13. 85.

168.; his ancient allowance, 14. 168.; his clerks, 15.; sale of the office, 82.; Chancellor's roll, 162.; increase of dignity, 144. 167. 330. List of, under William I., 16—20.; William II., 54. 57.; Henry I., 77—81. 92.; Stephen, 142. 146.; Henry II., 163—166. 170.; Rich. I., 325—329. 332.
Chancellor to the Queen, 81.
Chancery, removed from Exchequer, 325.; Rolls of, ib.; Clerks or Masters in, 330.
Chanvill, William de, Archdeacon of Richmond. Rich. I. 348.
Chastillon, Henry de, Archdeacon of Canterbury. Rich. I. 348.
Chertsey, Abbot of. *See* Aymer.
Chester, Earl of. *See* Ranulph Blundevil.
Chichester, Archdeacons of. *See* Sefred, Josceline.
Chichester, Bishop of. *See* Sefred.
Chichester, Dean of. *See* Sefred.
Clare. *See* Richard Fitz-Gilbert.
Clare, Roger de, Earl of Clare. Hen. II. 222.
Claremald, Abbot of St. Augustine's, Canterbury. Hen. II. 223.
Clergy, lawyers and judges, 25. 57. 161.
Clerk, John le. Hen. II. 224.
Clinton, Geoffrey de. Hen. I. 109.
Colchester, Archdeacon of. *See* Ralph.
Coleville, Gilbert de. Hen. II. 225.
Columbiers, Gilbert de. Hen. II. 225.
Constantiis, Walter de, Archdeacon of Oxford, Bishop of Lincoln, and Archbishop of Rouen. Hen. II. 226.; Rich. I. 349.
Conteurs. *See* Serjeants.
Cornhill, Gervase de. Hen. II. 226.
Cornwall, Earl of. *See* Robert.
Coventry, Archdeacon of. *See* Richard Brito.
Coutance, Bishop of. *See* Geoffrey.
Creppings, Walter de. Rich. I. 353.
Cressi, Hugh de. Hen. II. 228.
Cumin, John, Archbishop of Dublin. Hen. II. 229.
Curia Regis, instituted by William I., 1.; jurisdiction of, 9.; pleadings in French doubted, 10.; members and officers of, 10.
Cuserugge, Baldwin de. Rich. I. 353.
Dammartin, Manaserius de. Hen. II. 230.
Daniel, Abbot of Chertsey. Hen. II. 186.
Davencestre, Philip de. Hen. II. 231.
Dene, Ralph de. Hen. II. 231.
Derby, Archdeacon of. *See* Godfrey de Luci.
Dorset, Earl of. *See* Osmund.
Dover, John de. Hen. II. 232.
Drogo. Will. II. 60.
Dublin, Archbishop of. *See* John Cumin.
Durham, Bishops of. *See* William de Carilefo, Ranulph Flambard, Geoffrey Rufus, Hugh Pusar, Philip of Poictiers.

Ely, Archdeacons of. *See* Richard Fitz-Nigel, Richard Barre.
Ely, Bishops of. *See* Nigel, Geoffrey Ridel, William de Longchamp, Eustace.
Escuris, Matthew de. Hen. II. 233.
Espec, Walter. Hen. I. 112.
Essex, Earl of. *See* Geoffrey de Mandeville, William de Mandeville, Geoffrey Fitz-Peter.
Essex, Henry de. Hen. II. 233.
Exchequer, whether instituted under William I. or Henry I., 21.; derivation of its name, 21.; its jurisdiction, 21.; barons of, 22.; its two terms, 22.; rolls of, 73.; civil causes tried there, 94. 178. 336.; two principal rooms, 179.
Exeter, Bishop of. *See* Osbert.
Eustace, Dean of Salisbury, Archdeacon of Richmond, and Bishop of Ely. Rich. I. 353.

Fines introduced under Hen. II., 171.
Fines of Rich. I. and John, 325.
Fitz-Alan, William. Rich. I. 356.
Fitz-Aldelm, William. Hen. II. 235.; Rich. I. 357.
Fitz-Alexander, Nigel. Hen. II. 235.; Rich. I. 360.
Fitz-Alured, Richard. Hen. I. 114.
Fitz-Bernard, Robert. Hen. II. 235.
Fitz-Bernard, Thomas. Hen. II. 236.
Fitz-Ernise, Philip. Hen. II. 237.

Fitz-Gerold, Henry. Hen. II. 238.
Fitz-Gilbert, Richard. Will. I. 29.
Fitz-Gilbert, William. Steph. 43.
Fitz-Helton, William. Hen. II. 239.
Fitz-Hervey, Henry. Rich. I. 361.
Fitz-Hervey, Osbert. Hen. II 239.; Rich. I. 361.
Fitz-John, Eustace. Hen. I. 115.
Fitz-John, Pain. Hen. I. 117.
Fitz-John, William. Hen. II. 239.
Fitz-Martin, William. Hen. II. 240.
Fitz-Nigel, or Fitz-Neale, Richard, Archdeacon of Ely, Dean of Lincoln, Bishop of London. Hen. II. 241.; Rich. I. 361.
Fitz-Nigel, or Fitz-Neale, William. Hen. II. 241.
Fitz-Oger, Oger. Rich. I. 364.
Fitz-Osberne, William, Earl of Hereford. Will. I. 31.
Fitz-Peter, Geoffrey, Earl of Essex. Rich. I. 364.
Fitz-Peter, Simon. Hen. II. 241.
Fitz-Ralph, Gerold. Hen. II. 243.
Fitz-Ralph, William. Hen. II. 243.
Fitz-Reinfrid, Roger. Hen. II. 248.; Rich. I. 364.
Fitz-Richard, William. Hen. II. 248.
Fitz-Robert, Philip. Rich. I. 366.
Fitz-Robert, Walter. Hen. II. 248.; Rich. I. 366.
Fitz-Roger, Robert. Rich. I. 369.
Fitz-Simon, Osbert. Rich. I. 369.
Fitz-Simon, Turstin. Hen. II. 248.
Fitz-Stephen, Ralph. Hen. II. 249.; Rich. I. 369.
Fitz-Stephen, William. Hen. II. 249.; Rich. I. 371.
Fitz-Torold, Nicholas. Hen. II. 249.
Fitz-William, Osbert. Rich. I. 373.
Fitz-William, Otho. Rich. I. 374.
Flambard, Ranulph, Bishop of Durham. Will. II. 61.
Flandrensis, Richard. Rich. I. 374.
Furnellis, Alan de. Hen. II. 249.

Gaerst, Hugh de. Hen. II. 250.
Galdric. Will. II. 67.
Galsagus. *See* William Welson.
Gant, Robert de. Steph. 148.
Garland, John de. Rich. I. 375.
Gedding, Ralph de. Hen. II. 251.
Geoffrey, Archdeacon of Berks. Rich. I. 375.
Geoffrey, Bishop of Coutance. Will I. 34.
Gernemue, Adam de. Hen. II. 252.
Gestling, John de. Rich. I. 375.
Giffard, Richard. Hen. II. 253.
Giffard, William, Bishop of Winchester. Will. I. 36.; Will. II. 68.; Hen. I. 118.
Glanville's Treatise on the Law, 180.
Glanville, Gilbert de, Bishop of Rochester. Rich. I. 375.
Glanville, Osbert de. Hen. II. 253.
Glanville, Ranulph de. Hen. II. 254.; Rich. I. 376.
Glanville, William de. Rich. I. 384.
Gloucester, Archdeacon of. *See* Robert de Inglesham.
Gloucester, Milo de, Earl of Hereford. Hen. I. 123.
Godfrey, Bishop of Bath. Hen. I. 126.
Grimbald, Robert. Hen. II. 254.
Gundeville, Hugh de. Hen. II. 255.

Hadfield, Walter de. Hen II. 256.
Haget, Geoffrey. Rich. I. 384.
Hardres, Robert de. Rich. I. 385.
Helmham, Bishop of. *See* Arfastus.
Henry, Duke of Normandy. Steph. 150.
HENRY I.; Survey of his reign, 73.
HENRY II.; Survey of his reign, 160.
Herbert. *See* Herbert Losinga.
Hereford, Archdeacon of. *See* Ralph.
Hereford, Bishops of. *See* Richard, William de Vere.
Hereford, Earls of. *See* William Fitz-Osberne, Milo of Gloucester.
Herfastus. *See* Arfastus.
Heriet, Richard de. Rich. I. 38.
Herman, Bishop of Sherborne and Salisbury. Will. I. 36.
Hose, Geoffrey. Hen. II. 257.
Hospitali, Ralph de. Hen. II. 258.
Huntingdon, Archdeacon of. *See* Nicholas de Sigillo.
Husseburn, Thomas de. Hen. II. 258.; Rich. I. 386.
Hyde, Abbot of. *See* John Suthill.

Inglesham, Robert de, Archdeacon of Gloucester. Hen. II. 258.; Rich. I. 386.
Insula, Godfrey de. Rich. I. 387.
Itinera, or Circuits, origin of, 12.; instituted under Henry I., 73. 92.

John. Hen. II. 258.
Josceline, Archdeacon of Chichester. Hen. II. 259.; Rich. I. 387.
Judges, payments to, 95.
Jukel, John. Hen. II. 259.
Justices Itinerant, writ addressed to, 178. List of, under Henry I., 93.; Henry II., 174.; Richard I., 334.
Justiciarius Angliæ, or Chief Justiciary, his office, 10.; its discontinuance under Henry III., 11. List of, under William I., 11. 20.; William II., 53. 57.; Henry I., 86—89. 92.; Stephen, 144. 146.; Henry II., 170.; Richard I., 331, 332.
Justiciers, or Justiciaries, their costume, 174. List of, under Henry I., 89.; Stephen, 146.; Hen. II., 172.; Richard I., 333.

Keepers of the Seal, under William II., 56.; Henry I., 81.
Kent, Earl of. *See* Odo.
Kingeston. Henry de. Rich. I. 388.
Kunill, William de. Rich. I. 388.
Kyme, Simon de. Rich. I. 388.

Lamvallei, William de. Hen. II. 260.
Lanfranc, Archbishop of Canterbury. Will. I. 37.
Ledenham, Eustace de. Rich. I. 388.
Leicester, Earl of. *See* Robert de Beaumont.
Leonard. Hen. II. 262.
Lincoln, Alured de. Hen. II. 262.
Lincoln, Bishops of. *See* Robert Bloet, Alexander, Geoffrey Plantagenet, Walter de Constantiis.
Lincoln, Dean of. *See* Richard Fitz-Nigel.
Lincoln, Precentor of. *See* Walter Map.
Lisieux, Archdeacon of. *See* John de Alençon.
Loches, Prior of. *See* Warine
London, Bishops of. *See* Maurice, Richard Fitz-Nigel, William de St. Mariæ Ecclesia.
Longchamp, William de, Bishop of Ely. Rich. I. 389.
Losinga, Herbert, Bishop of Thetford and Norwich. Hen. I. 127.
Luci, Godfrey de, Archdeacon of Derby, Bishop of Winchester. Hen. II. 263.; Rich. I. 394.
Luci, Reginald de. Hen. II. 263.
Luci, Richard de. Steph. 151.; Hen. II. 264.
Luci, Robert de. Hen. II. 270.

Maine, Archdeacon of. *See* Maurice.
Malduit, John. Hen. II. 270.
Malduit, William. Hen. II. 271.
Malus Catulus, Roger. Rich. I. 396.
Mandeville, Geoffrey de, Earl of Essex. Hen. II. 273.
Mandeville, William de, Earl of Albemarle and Essex. Rich. I. 397.
Mantel, Robert. Hen. II. 275.
Map, Walter, Precentor of Lincoln, Archdeacon of Oxford. Hen. II. 275.
Mareschall, William, Earl of Pembroke. Rich. I. 399.
Marmion, Robert. Hen. II. 278.; Rich. I. 404.
Maurice, Archdeacon of Maine, Bishop of London. Will. I. 41.
Monachus, Geoffrey. Hen. II. 278.
Montacute, Prior of. *See* Reginald.
Moreton, Earl of. *See* Robert.
Moreville, Hugh de. Hen. II. 279.
Morewic, Hugh de. Hen. II. 280.
Morgan, Hamon. Hen. II. 281.
Mucegros, Miles de. Hen. II. 282.
Murdac, Hugh, Archdeacon of Cleveland. Hen. II. 282.
Murdac, Ralph. Hen. II. 283.; Rich. I. 404.

Narratores. *See* Serjeants.
Neville, Alan de. Hen. II. 283.
Neville, Alan de, Junior. Hen. II. 284.
Nigel, Bishop of Ely. Hen. II. 284.
Norfolk, Earl of. *See* Roger Bigot.
Normandy, Duke of. *See* Henry.
Northampton, Henry de. Rich. I. 404.
Norwich, Bishops of. *See* Herbert de Losinga, John of Oxford.

Odo, Bishop of Bayeux, and Earl of Kent. Will. I. 43.; Will. II. 68.
Oger the Dapifer. Hen. II. 286.
Osbert, Bishop of Exeter. Will. I. 43.
Osmund, Earl of Dorset, and Bishop of Salisbury. Will. I. 44.

Oxford, Archdeacons of. *See* Walter de Constantiis, Walter Map.
Oxford, Constantius de. Hen. II. 287.
Oxford, John of, Bishop of Norwich. Hen. II. 288.

Pantulf, Hugh. Rich. I. 405.
Pateshull, Simon de. Rich. I. 405.
Pauper, Herbert, Bishop of Salisbury. Rich. I. 405.
Pauper, Roger. Steph. 151.
Pec, Richard de. Hen. II. 291.; Rich. I. 406.
Pembroke, Earl of. *See* William Mareschall.
Penenden Heath, trial at, *temp.* William I., 13.
Peverell, Hugh. Rich. I. 407.
Philip. Steph. 152.
Pikenot, Robert. Hen. II. 291.
Pincerna. *See* Alexander le Boteler.
Pinkeni, Gilbert de. Hen. II. 291.
Pipard, Gilbert. Hen. II. 292.
Plantagenet, Geoffrey, Bishop of Lincoln, Archbishop of York. Hen. II. 293.
Poictiers, Archdeacon of. *See* Richard Tocliffe.
Poictiers, Philip of, Bishop of Durham. Rich. I. 408.
Port, Henry de. Hen. I. 129.
Poterna, James de. Rich. I. 409.
Pusar, Hugh, Bishop of Durham. Rich. I. 409.

Ralph, Archdeacon of Colchester. Hen. II. 298.; Rich. I. 413.
Ralph, Archdeacon of Hereford. Hen. II. 298.; Rich. I. 413.
Ranulph, or Arnulph. Hen. I. 130.
Ranulph, Treasurer of Salisbury. Rich. I. 413.
Reginald, Prior of Montacute. Hen. I. 132.
Reginald, Abbot of Walden. Steph. 153.
RICHARD I.; Survey of his reign, 324.
Richard, Archdeacon of Wilts. Hen. II. 298.
Richard, Bishop of Hereford. Hen. I. 132.
Richmond, Archdeacons of. *See* William de Chanvill, Eustace, Roger de St. Edmund.
Ridel, Geoffrey. Hen. I. 133.
Ridel, Geoffrey, Archdeacon of Canterbury, Bishop of Ely. Hen. II. 299.
Rideware, William de. Rich. I. 414.
Robert, Earl of Moreton, and of Cornwall. Will. I. 46.
Roceline. Rich. I. 414.
Rochester, Bishop of. *See* Gilbert de Glanville.
Roger, Bishop of Salisbury. Hen. I. 134.; Steph. 153.
Rolls of Exchequer, 73.; history of first roll, 74.
Ros, Peter de. Rich. I. 415.
Rotuli Curiæ Regis, Rich. I. and John, 324.
Rouen, Archbishop of. *See* Walter de Constantiis.
Rouen, Sacrist of. *See* Ralph de Warneville.
Rufus, Geoffrey, Bishop of Durham. Hen. I. 134.
Rufus, Guy, Dean of Waltham, Bishop of Bangor. Hen. II. 301.
Rufus, Richard. Hen. II. 302.
Rufus, William. Hen. II. 303.

St. Augustine's, Canterbury, Abbot of. *See* Clarembald.
St. Edmund's, Abbot of. *See* Samson de Totington.
St. Edmund, Roger de. Rich. I. 415.
St. Jacobo, Stephen de. Rich. I. 416.
St. Mariæ Ecclesia, William de, Dean of St. Martin's, Bishop of London. Rich. I. 416.
St. Martin, Ralph de. Rich. I. 418.
St. Martin's, Dean of. *See* William de St. Mariæ Ecclesia.
St. Quentin, Walter de. Hen. II. 304.
Salisbury, Bishops of. *See* Herman, Osmund, Roger, Hubert Walter, Herbert Pauper.
Salisbury, Dean of. *See* Eustace.
Salisbury, Treasurer of. *See* Ranulph.
Seal, the king's Great, 21.; place of deposit, 21.
Sefred, Archdeacon, Dean, and Bishop of Chichester. Hen. II. 305.
Serjeants at Law, formerly called *Contours* or *Narratores*, 22.; form of writ appointing them, 23.; their oath, 24.; their coif and dress, 25.
Sherborne, Bishop of. *See* Herman.

Sigillo, Nicolas de, Archdeacon of Huntingdon. Hen. II. 305.
STEPHEN; Survey of his reign, 142.
Stikeswald, Roger de. Rich. I. 419.
Strange, Guy le. Hen. II. 307.
Stuteville, Robert de. Hen. II. 308.
Stuteville, William de. Rich. I. 419.
Surrey, Earl of. *See* William de Warenne.
Suthill, John, Abbot of Hyde. Rich. I. 421.

Taunton, Archdeacon of. *See* William de Wrotham.
Terms, origin of, 2.; only three at first, 5.; the third divided into two, 7.; changes in reigns of Hen. I., 77.; Henry II., 162.
Terms in the Exchequer, only two, 8.
Theobald, Archbishop of Canterbury. Steph. 43.
Thetford, Bishops of. *See* Arfastus, William Welson.
Tocliffe, Richard, Archdeacon of Poictiers, Bishop of Winchester. Hen. II. 309.
Torell, William. Hen. II. 311.
Tornoura, Adam de. Rich. I. 421.
Totington, Samson de, Abbot of St. Edmund's Bury. Hen. II. 312.
Totness, Archdeacon of. *See* William.
Tunbridge. *See* Richard Fitz-Gilbert.
Turnham, Stephen de. Rich. I. 421.

Vavasour, William le. Hen. II. 315.; Rich. I. 422.
Vaux, Robert de. Hen II. 315.
Verdun, Bertram de. Hen. II. 317.
Vere, Alberic de. Hen. I. 137.
Vere, William de, Bishop of Hereford. Rich. I. 422.
Vice-Chancellors under Henry II., 169.; Richard I., 327.

Walden, Abbot of. *See* Reginald.
Waldric. Hen. I. 140.
Walter, Hubert, Dean of York, Bishop of Salisbury, Archbishop of Canterbury. Hen. II. 319.; Rich. I. 423.
Walter, Theobald. Rich. I. 423.
Waltham, Dean of. *See* Guy Rufus.
Warenne, Reginald de. Hen. II. 319.
Warenne, William de, Earl Warenne, and Earl of Surrey. Will. I. 47.
Warenne, William de. Rich. I. 424.
Warine, Prior of Loches. Rich. I. 424.
Warneville, Ralph de, Sacrist of Rouen, Treasurer of York. Hen. II. 321.
Welleford, Ralph de. Rich. I. 425.
Welson, William. Will. I. 49.
Westminster Hall, erection of, by William II. in 1099, 51.; recent attempt to remove the Courts from it, 52.
Wichinton, Henry de. Rich. I. 425.
WILLIAM I.; Survey of his reign, 1.
WILLIAM II.; Survey of his reign, 51.
William, Archdeacon of Totness. Hen. II. 321.
Wilton, Richard de. Hen. II. 322.
Wilts, Archdeacon of. *See* Richard.
Wimer, the Chaplain. Hen. II. 322.
Winchester, Bishops of. *See* William Giffard, Richard Tocliffe, Godfrey de Luci.
Wisebec, Reginald de. Hen. II. 223.
Witefeld, Robert de. Hen. II. 323.; Rich. I. 425.
Wrotham, William de, Archdeacon of Taunton. Rich. I. 426.

York, Archbishop of. *See* Geoffrey Plantagenet.
York, Deans of. *See* Robert de Gant, Hubert Walter.
York, Treasurer of. *See* Ralph de Warneville.

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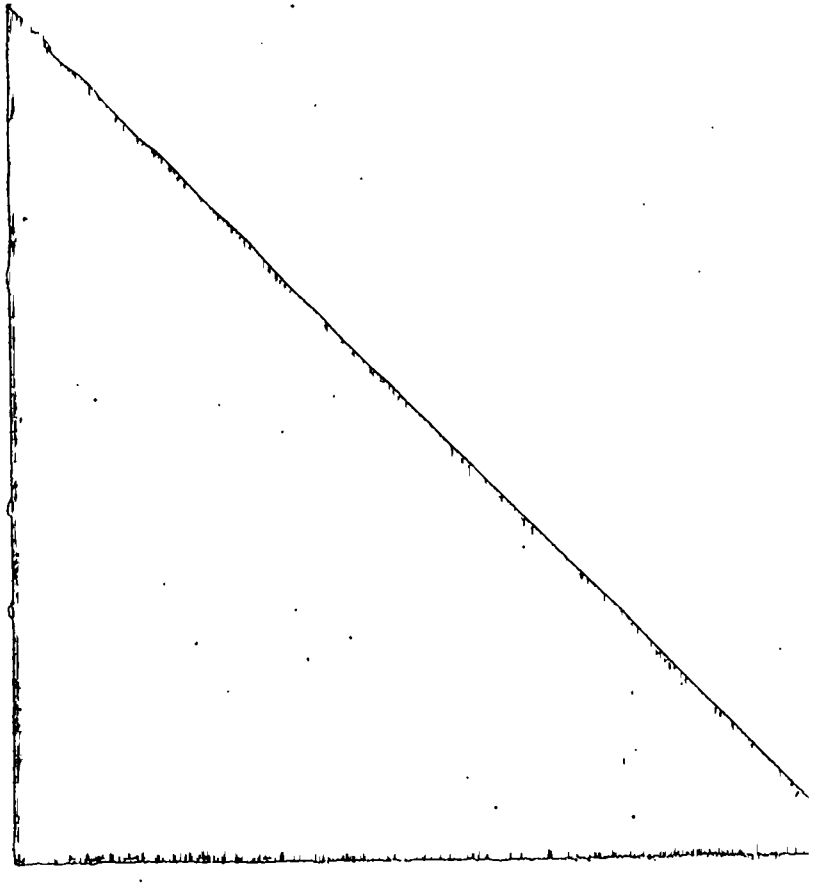

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